

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR, STATE OF TAMILNADU.

Present: Thiru. V. Padmanabhan, M.A., M.L., D.H.,
Principal District and Sessions Judge.

Monday, this the 9th day of March, 2026.

CrI.M.P.No.219/2026
(CNR No.TNPB01-000357-2026)

Dinesh, 34/2026,
S/o.Pachamuthu.

...Petitioner/Accused

-vs-

State Rep. by
the Sub Inspector of police,
Mangalamedu P.S.
In Cr. No.88/2026.

... Respondent/Complainant.

Petition dated 23.02.2026 filed U/s.482 of BNSS Act seeking anticipatory bail to the petitioner.

This petition coming on this day before me for order in the presence of Thiruvalargal.R.D.Rajavel, A.J.Arul Jayan and S.Mohamed Ismail, Advocates for the petitioner and the Public Prosecutor for the State and upon hearing both sides, this Court has delivered the following...

ORDER

The petitioner/accused seeks anticipatory bail for the alleged offences under Sections 303(2) of BNS r/w. 21(4) of MMDR Act.

2. The learned Counsel appearing for the petitioner/accused would submit that the petitioner did not involve in this case incident as alleged by prosecution; the petitioner is a owner cum driver of the vehicle; case property was recovered; that if he is released on anticipatory bail he will abide the conditions of this Court and that he may be released on anticipatory bail.

3. On the other hand, the learned Public Prosecutor contended that the petitioner has transported 3 units of gravel in a tipper lorry; that investigation is pending; if he is released on anticipatory bail, he will commit the similar in nature offence again and that the petition may be dismissed.

4. Upon hearing both side arguments and as per the FIR averments, it is seen that at the time of alleged incident, the petitioner has illegally transported 3 units of gravel in a lorry without any valid permit. In the order passed in CrI.O.P.Nos.13334 of 2020 batch(sand theft cases) dt: 03.09.2020, the Honourable High Court has observed as follows:-

“27. This Court finds that the discretionary power has been consciously and continuously misused by the offenders and the enforcers as well as in an organized manner and this Court is of the firm opinion that the discretionary powers cannot be extended to persons indulging in illegal sand mining, smuggling and theft of sand and minerals.”

In the above circumstances, considering the nature of the vehicle used for transportation, quantity of the gravel, stage of the case, serious objections on the prosecution side and in the interest of justice, this Court is not inclined to grant anticipatory bail to the petitioner herein.

5. In the result, this anticipatory bail petition is dismissed.

Pronounced by me in open Court, this the 9th day of March, 2026.

Principal District & Sessions Judge,
Perambalur.