

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI**PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,****Principal Sessions Judge, Pudukkottai.****Saturday the 07th day of March, 2026**

Criminal Miscellaneous Petition No:544/2026

{CNR No.TNPD01-0009802026}

Rasu, S/o. Raman.

.....Petitioner/Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,

Thirumayam Police Station,

Cr.No.43/2025

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. P.Ragupathy, Learned Advocate appearing for the Petitioner and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

ORDER

This e-petition is filed by the petitioner U/s.482 of Bharatiya Nagarik Suraksha Sanhita (BNSS)-2023, praying for anticipatory bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioner submits that the petitioner is being charged for offences U/s. 4(1)(1A), 21(1), 21(2) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.43/2025 of Thirumayam Police Station and he has not committed any offences as alleged and he has been falsely implicated in this case and the earlier anticipatory bail petition was dismissed by this court in CrI.M.P.No.232/2026 dated 31.01.2026 and he is ready to abide by any condition imposed by this Court and hence, he seeks anticipatory bail for the petitioner.

Per contra, the Learned Public Prosecutor submits that on 09.12.2025, this petitioner herein committed a theft of 18111.26 Km of Pulp and 964.24 K.m., of M.Sand sand and the same has been seized and the petitioner is having a previous case in Thirumayam Police station Cr.No.9/2025, U/s. 194 BNSS r/w 103 BNS @ 191(2), 61(2), 103 BNS r/w 3(3) BNS and Goondas proposal is pending as against the petitioner and this

case was transferred to CBCID. He further submits that the investigation is not completed and hence, he strongly opposed to grant anticipatory bail in favour of the petitioner.

With regard to anticipatory bail, this court relied upon a case law reported in AIR 1980 SC. 1632 rendering by our Hon'ble Supreme Court of India in a case of Shri Gurbaksh Singh Sibbia Vs. State of Punjab, wherein it has been held as follows:-

"The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail."

Rival submissions are taken into consideration. Records perused. on 09.12.2025, this petitioner herein committed a theft of 18111.26 Km of Pulp and 964.24 K.m., of M.Sand as against the natural resources and the petitioner is having a previous case in Thirumayam Police station Cr.No.9/2025, U/s. 194 BNSS r/w 103 BNS @ 191(2), 61(2), 103 BNS r/w 3(3) BNS and Goondas proposal is pending as against the petitioner and this case was transferred to CBCID. The earlier application was dismissed only on 31.01.2026. The petitioner has not established any change of circumstances to interfere with the earlier order. By considering the above aspects, other facts and circumstances of the case, nature of the offence, the circumstances under which, the offence was committed and in view of the decision cited supra and strong objections raised on the side of the prosecution, this Court is not inclined to grant anticipatory bail to the petitioner especially in the early stage of investigation.

In the result, this Anticipatory Bail Petition is dismissed.

Pronounced by me in Open Court, this the 07th day of March '2026.

**Principal Sessions Judge,
Pudukkottai.**

Copy to

The Counsel for the petitioner.