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Crl.M.P.No.1150/2026
Chinnamanur Police Station
Crime No : 356/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. A. Saravanakumar, B.A.,B.L.,

Principal Sessions Judge, Theni.

Tuesday, this the 30th day of June – 2026

Crl.M.P.No.1150/2026 - In -

CNR.No.TNTH01-002073-2026

Balaji

... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Chinnamanur Police Station,
(Cr.No.356/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. P. Anbalagan, Advocate for the petitioner and Thiru. P. Baskaran, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following ...

ORDER

The petitioner, who is in judicial custody for the offences charged u/s.303(2), 106(1) BNS and 21(4) of MMDR Act in Crime No.356/2026 of the respondent police since 16.06.2026 is seeking for his release on bail u/s.483 of B.N.S.S.,

2. This is an application for bail in respect of a case registered against the petitioner/accused u/s.303(2), 106(1) BNS and 21(4) of MMDR Act.

3. The learned counsel for the accused submits that the accused is an innocent person and he has not committed any offence. If he is enlarged on bail, he would furnish sufficient sureties.

30.06.2026

Principal Sessions Judge, Theni



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4. The prosecution is given notice. The learned Public Prosecutor strongly objected to release the accused on the ground that the investigation is not yet completed.

5. Considering the rival submissions, the occurrence has taken place on 16.06.2026. The accused is in custody from the same date. The learned Public Prosecutor contends that the accused / A1, who is the owner of the vehicle involved in this case along with the other accused had illegally transported sand. At that time, A4, who was driving the vehicle was found dead after the vehicle overturned. A cursory perusal of the case records would go to show that the accused seems to be first offender and no previous case is pending against him. The property involved in the offence has been recovered. He has permanent residence within the jurisdiction of the respondent police station. Therefore, there is no possibility of fleeing from justice. Moreover, all the witnesses seemed to be police officials. There is no possibility of tampering the witnesses. Considering the totality of the facts and circumstances of the case, this court is inclined to consider the bail application of the petitioner with the following conditions.

(i) Bond and Sureties :-

In the result, this petition is allowed and the petitioner is ordered to be released on bail on his executing bond for Rs.10,000/- with two sureties each of like sum to the satisfaction of the **Judicial Magistrate, Uthamapalayam.**



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(ii) Daily Appearance Requirement :-

The petitioner shall appear and report before the Respondent Police Station daily at 10.00 a.m., and 5.00 p.m., for 30 days and thereafter, shall appear on summons.

(iii) Identification Documentation :-

(a) The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

(b) The petitioner's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.

(iv) Contact Details for E-Summons and Court Communications :-

The petitioner shall furnish and maintain active mobile number (s) and email ID (s) for receipt of e-summons, notices and other court communications. Any change shall be made only with prior permission of the concerned court.

(v) Cooperation with Investigation :-

The petitioner shall appear before the respondent police and cooperate with the investigation as and when required.

(vi) Cooperation for Expeditious Trial :-

The petitioner shall not seek unnecessary adjournments or adopt any tactic to delay the trial proceedings.



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(vii) Non-Interference with Witnesses :-

The petitioner shall not directly or indirectly threaten, induce or influence any witness or person connected with the case.

(viii) Travel Restriction :-

The petitioner shall not leave the State of Tamil Nadu without prior permission of the concerned Court and shall not involve himself in similar offences.

(ix) Cooperation for Early Disposal :-

The petitioner shall cooperate with the Court for the early disposal of the case.

(x) Consequences of Breach :-

Any violation of the aforesaid bail conditions shall entail appropriate action against the petitioner in accordance with law, including cancellation of bail, as laid down by the Hon'ble Supreme Court in P.K. Shaji Vs. State of Kerala, reported in AIR 2005 SCW 5506.

(xi) Absconding Consequences :-

In the event, if the petitioner absconds, a fresh F.I.R shall be registered u/s.269 of BNS.

Given by me, this the 30th day of June - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Uthamapalayam.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Chinnamanur Police Station.
4. Counsel for the Petitioner.