

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.

PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,
Principal Sessions Judge, Thanjavur
Wednesday the 11th day of March, 2026
Criminal Miscellaneous Petition No.1790/2026
{CNR No: TNTJ01-0023182026}

Eswaran, S/o. Muruganantham

....Petitioner/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police
Maruvur Police Station,
Cr.No.27/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.G.Uthirapathi, Learned Advocate appearing for the petitioner and the Learned Public Prosecutor Thiru.S.Sathiamoorthy, on behalf of the complainant and this court passed the following,

ORDER

This petition is filed by the petitioner u/s 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying for bail.

Heard both sides. Perused the records.

The Learned Counsel for the petitioner submits that the petitioner is being charged for the offences u/s 303(2) of BNS r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.27/2026 of Maruvur Police Station and he has not committed any offences as alleged and he has been falsely implicated in this case. He further submits that the petitioner is ready to filed an affidavit that he would not involve this kind of offence or any kind of any offences hereinafter. He further submits that the petitioner is in judicial custody from 07.03.2026 and he is voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court and he is also ready to abide any other condition and hence, he seeks bail for the petitioner.

Per contra, the Learned Public Prosecutor represents that on 07.03.2026, totally two accused persons including the petitioner herein / A2 committed a theft of ¼ unit of river sand in a bullock cart and the offending vehicle along with sand has been seized. He further represents that the petitioner has no more previous case, but the investigation is not completed and hence, he strongly opposed to enlarge the petitioner on bail.

Rival submissions are taken into consideration. Perused the records. The petitioner is alleged to have committed the offences as against the natural resource. However, he has no more previous case. He is in judicial custody from 07.03.2026. Further, the offending vehicle along with sand is said to have been seized. By considering the above aspects, other facts and circumstances of the case, period of incarceration, taking note of the submission put forth on the side of the petitioner that the petitioner is voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court, taking note of the submission that the petitioner is ready to file an affidavit that he would not involve this kind of offence or any kind of offences hereinafter, in the absence of any serious objection on the side of the prosecution, this Court is inclined to grant bail to the petitioner with stringent conditions.

In the result, this Bail Petition is allowed with the following conditions:-

- 1) The Petitioner shall file an affidavit before the Jurisdictional Magistrate that he would not involve this kind of offence or any kind of offences hereinafter,
- 2) The petitioner shall pay a non-refundable deposit of Rs.1000/- (Rupees One thousand only) to the District Mediation and Conciliation Centre, Thanjavur and obtain receipt for the same and produce it before the Jurisdictional Magistrate,
- 3) **The Bench Clerk Grade-I, Sessions Branch of this court** is directed to maintain an account in respect of the details of deposit condition imposed by this court as and when in the bail / anticipatory petition, to the credit of the District Mediation and Conciliation Centre, Thanjavur,
- 4) **Only after compliance of the conditions 1 & 2,** the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate,
- 5) The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and also submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their identity,
- 6) The petitioner shall report before the Station House Officer of Pattukkottai Taluk Police Station daily at 10.30 a.m., for a period of 30 days from the next day of his release, without fail and thereafter, as and when required for interrogation,
- 7) The petitioner shall not tamper with the prosecution witnesses and he shall be available for the trial as well. Further, he shall not misuse the liberty granted to him by indulging in any further offence and also not to leave the station either to abroad or other State without permission of this Court,

- 8) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioner in accordance with law as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala reported in (2005) AIR SC W 5560
- 9) If the petitioner thereafter absconds, a fresh FIR can be registered under section 269 of BNS and
- 10) The Station House Officer of Pattukkottai Taluk Police Station is directed to send a report to this court as to compliance of reporting condition by the petitioner.

Pronounced by me in Open Court, this the 11th day of March, 2026.

Principal Sessions Judge,
Thanjavur.

Copy to:

The Coordinator/Sub Judge, District Mediation and Conciliation Centre,
Thanjavur

The Judicial Magistrate, Thiruvaiyaru

The Inspector of Police, Maruvur P.S.

The Inspector of Police, Pattukkottai taluk P.S.

The Superintendent, Central Prison, Trichy or the concerned Jail Authority where
the petitioner is under judicial custody now.

The Counsel for the petitioner.