

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.1793/2026

{CNR No: TNTJ01-0023242026}

- 1) Praveenkumar, S/o. Senthilmurugan
- 2) Ajithkumar, S/o. Arumugam
- 3) Premkumar, S/o. Manivanan
- 4) Manikandan, S/o. Venkatesan
- 5) Divyanathan, S/o. Anthonysamy

....Petitioners/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police
Pandhanallur Police Station,
Cr.No.95/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. B.Mohan Learned Advocate appearing for the petitioners 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 petitioners u/s 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying for bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioners submits that the petitioners are being charged for the offences u/s 303(2) of BNS r/w 21(1) Mines and Minerals Act (Development & Regulation) in Cr.No 95/2026 of Pandhanallur Police Station and they have not committed any offences as alleged and they have been falsely implicated in this case. He further submits that the petitioners undertakes that they would not involve this kind of offence or any kind of offences hereinafter and to that effect, the petitioners filed affidavits. He further submits that the petitioners are in judicial custody from 07.03.2026 and they are voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court and also ready to abide any other condition and hence, he seeks bail for the petitioners.

Per contra, the Learned Public Prosecutor represents that on 07.03.2026 the petitioners herein / A1 to A5 committed a theft of 25 units of red soil in five lorries, and the offending vehicle along with sand has been seized. He further represents that the the 1st, 3rd & 5^h petitioners have no

previous cases and the 2nd petitioner has 2 more previous cases, 4th petitioner has one more previous case and investigation is not completed and hence, he strongly opposed to release the petitioners on bail.

Rival submissions are taken into consideration. Perused the records. The petitioners are alleged to have committed the offences as against the natural resource. The petitioners 1,3 & 5 have no previous case and the 2nd petitioner has two more previous cases and 4th petitioner has one more previous case. However, the petitioners are in judicial custody from 07.03.2026 and the offending vehicle along with sand has 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 petitioners are voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court, taking note of the affidavit filed by the petitioners that they would not involve this kind of offence or any kind of offences hereinafter and in the absence of any serious objection on the side of the prosecution, this Court is inclined to grant bail to the petitioners with stringent conditions.

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

1) The Petitioners shall pay a non-refundable deposit of **each** Rs.5000/- (Totally Rupees Twenty five thousand only) before the District Mediation and Conciliation Centre, Thanjavur and obtain receipt for the same and produce it before the Jurisdictional Magistrate,

2) 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

3) On production of receipt for payment of such deposit only, the petitioners are ordered to be released on bail on their executing a bond each for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate,

4) The petitioners 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,

5) The petitioners shall report before the Station House Officer of Thanjavur East Police Station daily at 10.30 a.m., for a period of 30 days from the next day of their release, without fail and thereafter, as and when required for interrogation,

6) The petitioners shall not tamper with the prosecution witnesses and they shall be available for the trial as well. Further, they shall not misuse the liberty granted to them by indulging in any further offence and also not to leave the station either to abroad or other State without permission of this Court,

7) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioners 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

8) If the petitioners thereafter abscond, a fresh FIR can be registered under section 269 of BNS and

9) The Station House Officer of Thanjavur East Police Station is directed to send a report to this court as to compliance of reporting condition by the petitioners.

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 DM Cum Judicial Magistrate, Thiruvudaimaruthur

The Inspector of Police, Thanjavur East P.S.

The Inspector of Police, Pandhanallur 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.