

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.1782/2026

{CNR No: TNTJ01-0023372026}

1. Ganesan, S/o.Rajangam

2. Kumar @ Kumarasamy, S/o.Rethinasamy

3. Kumar, S/o.Raja

....Petitioners/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police

Sengipatti Police Station,

Cr.No.54/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Sel.R.Nalini, 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 e-petition is filed by the petitioners 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 petitioners submits that the petitioners are being charged for offences u/s 303(2) of BNS r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr. No.54/2026 of Sengipatti 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 undertake that they would not involve this kind of offence or any kind of offences hereinafter and to that effect, filed the affidavit of the petitioners. He also submits that the petitioners are voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court and the petitioners have no previous case and they are ready to abide by any condition to be imposed by this court and hence, he seeks anticipatory bail for the petitioners.

Per contra, the Learned Public Prosecutor submits that on 07.03.2026, the petitioners herein committed a theft of 6 unit of red soil in a Hittachi Tipper Lorry and on seeing the respondent, they escaped from the scene of occurrence abandoning the vehicle along with sand and the same has been seized. He further submits that the petitioners have no previous case, but the

investigation is not completed and hence, he strongly opposed to grant anticipatory bail in favour of the petitioners.

Rival submissions are taken into consideration. The petitioners are alleged to have committed the offences as against the natural resource. However, they have no previous case. It seems that the material part of investigation would have been completed by this time. By considering the above aspects, other facts and circumstances of the case, 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 and 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 of the view that the petitioners can be granted anticipatory bail.

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

1) The petitioners shall pay a non-refundable deposit of Rs.5000/- **together** (Rupees Five thousand only) to the Mediation and Conciliation Centre, Thanjavur within 30 days 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 Mediation and Conciliation Centre

3) Only after compliance of the 1st condition, the petitioners are ordered to be enlarged on **anticipatory bail** in the event of arrest or on their appearance before the Jurisdictional Magistrate within a period of 30 days from today and on executing an own bond for a sum of Rs.10,000/- (Rupees Ten Thousands Only) with two sureties for a like sum 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 appear and sign before the Station House Officer of Kumbakonam East P.S. daily at 10.30 a.m. for a period of 30 days (including holidays) from the next day of execution of bond before the Jurisdictional Magistrate, without fail and thereafter, as and when required for interrogation,.

6) The petitioners shall surrender before the Jurisdictional Magistrate within 30 days from the date of this order, failing which, this anticipatory bail order shall stand cancelled automatically without any further reference to this court.

7) The petitioners shall comply with the conditions stipulated u/s 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, scrupulously,

8) 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

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

10) The Station House Officer of Kumbakonam East P.S. is directed to send a compliance report to this court with regard to 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 Judicial Magistrate No.III, Thanjavur

The Inspector of Police, Kumbakonam East P.S

The Inspector of Police, Sengipatti P.S.

The Counsel for the petitioner.