

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.

PRESENT: **Tmt. J.Tamilarasi, B.Com.,M.L.,**
Sessions Judge,
(Principal Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur /
Principal Sessions Judge, Thanjavur (FAC)

Thursday the 11th day of June, 2026

Criminal Miscellaneous Petition No.3461/2026
(CNR No: TNTJ01-004845 2026)

1. Thiyagu, aged 34/2026,
S/o.Vadivel

2. Kumaresan, aged 49/2026,
S/o.Palani

....Petitioners/ A1 & A2

/ versus /

State of Tamil Nadu represented by Inspector of Police
Kumbakonam East Police Station,
Cr.No.285/2026

...Respondent/Complainant

This petition came up before this Court for hearing in the presence of moved by Mr.K.S.Alageshwaran, Learned Advocate appearing for the petitioners and Mr.S.Sathiamoorthy, Learned Public Prosecutor appearing for the State 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 submitted that the petitioners are being charged for the offences u/s 303(2) of Bharatiya Nyaya Sanhita, 2023 r/w 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.285/2026 of Kumbakonam East 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 any offences hereinafter and to that effect, the petitioners filed their affidavits. He

further submits that the petitioners are in judicial custody from 02.06.2026 and they are voluntarily willing to deposit any reasonable amount to any welfare measure as directed by this court and they are also ready to abide any other conditions to be imposed by this court and hence, he seek bail for the petitioners.

Per contra, the Learned Public Prosecutor submitted that on 02.06.2026, totally three accused persons including the petitioners herein / A1, A2 committed theft of one unit of river sand in a Bolero Pickup vehicle bearing Registration No.TN 50 E 5141 and the offending vehicle along with sand has been seized. He further submitted that the 1st petitioner has two more previous cases and the 2nd petitioner has no previous case and co-accused/A3 is not yet arrested and the investigation is pending and hence, he strongly opposed to enlarge the petitioners on bail.

Rival submissions are taken into consideration. Perused the records. There are totally three accused persons in this case. The petitioners are arrayed as A1 and A2. The petitioners along with co-accused are stated to have committed theft of one unit of river sand in a Bolero Pickup vehicle bearing Registration No.TN 50 E 5141 and the offending vehicle along with sand has been seized. Only 9 days have been lapsed after the arrest of the petitioners. Investigation is still pending. The 1st petitioner is said to have two more previous cases. Co-accused/A3 is not yet arrested. By considering the above aspects, nature and gravity of the offence, pendency of investigation and strong objections raised on the side of the prosecution, this Court is not inclined to grant bail to the petitioners.

In the result, this Bail Petition is dismissed.

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

Principal Sessions Judge,
Thanjavur.(FAC)

Copy to:

1) The Counsel for the petitioners.