

**BEFORE THE COURT OF SESSIONS DIVISION OF
VELLORE DISTRICT, TAMIL NADU**

Present: Thiru.M.Elavarasan,
Principal Sessions Judge, Vellore.

Thursday, the 26th day of March, 2026

Cr.M.P.No.945 of 2026
CNR.No.TNVL01-001399-2026

A1-Sathiyaraj, (M-40),
S/o Mari,
Pillaiyar Koil Street,
Velurampatti Village,
Nangamangala Via,
Gudipala Mandal Taluk,
Chittoor District,
Andhra Pradesh - 517 132.

...Petitioner/Accused

-vs-

The State represented by
The Inspector of Police
Thiruvalam P.S.
Vellore District
Tamil Nadu
Cr. No.37 of 2026.

...Respondent/Complainant

This petition is coming before me for hearing today in the presence of Thiru C.Dharani, learned counsel for the petitioner, the learned Public Prosecutor for the respondent and, after hearing both sides, this court, delivered the following:

O R D E R

This is a petition for bail u/s 483 of BNSS for the alleged offences u/s. 303(2), 326(a) BNS 2023.

2. The learned counsel for the petitioner with support of the petition averments submitted that the petitioner was remanded to judicial custody on 03.03.2026 and he is in custody for the past 24 days. The case of the prosecution is that on 03.03.2026 the petitioner was transported two units of river sand in TATA 1109 bearing Reg No. AP 39 TK 3757 without any valid permit. The petitioner is having permanent residence and he is ready to furnish sufficient sureties to ensure his regular attendance and abide by any condition imposed by this Court, and prays that the petitioner may be granted bail.

3. On notice, the learned Public Prosecutor filed his objection and submitted that there are totally two accused in this case and the petitioner is arrayed as A1 and there is no previous is pending as against the petitioner and in this case, the petitioner has transported two units of river sand in TATA 1109 bearing Reg No. AP 39 TK 3757 without any valid permit and that property was recovered. The petitioner hails from the State of Andhra Pradesh and if he is enlarged on bail, there is every possibility of his absconding and the co accused are still absconding and the investigation is going on and hence he strongly opposed to grant bail to the petitioner.

4. Heard both sides. Records perused. On perusal of FIR, it reveals that on 03.03.2026 at about 08.00 p.m., while the respondent police were conducting vehicle check near Ullipudur Check Post, Thiruvalem Police Station limits, they intercepted a van bearing Reg.No. AP 39 TK 3757 (TATA 1109). On inspection, it was found that the petitioner/accused and others were transporting about 2 units of river sand in small bags without any valid permit. Hence, the present case. The learned counsel for the petitioner would submit that the petitioner is in judicial custody for 24 days and he seeks bail. The learned Public Prosecutor filed his objection and submitted that there is no previous case as against the petitioner and he strongly opposed to grant bail to the petitioner. On considering the facts and circumstances of the case and the incarceration period of the petitioner, no previous case as against the petitioner and he is ready to furnish sufficient sureties to ensure his regular attendance and stage of investigation, this court is inclined to grant bail to the petitioner subject to the following conditions:

5. In the result, this petition is allowed;-

(a) The petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/-, along with two sureties for the like sum each to the satisfaction of the Judicial Magistrate, Katpadi;

(b) The petitioner shall appear and sign before the Judicial Magistrate, Katpadi, daily at 10.30 AM on all working days until further orders from the next day of execution of bond before the Magistrate Court;

(c) The petitioner is further directed to appear before the respondent police, as and when required for interrogation, on summon. Thereafter, he can file a modification petition after 30 days of conditions complied.

(d) The petitioner shall deposit a sum of **Rs.3,000/-** (Rupees three thousand only (Non refundable) towards the Mines and Minerals Department Account 0853-00 Non Ferrous Mining and Metallurgical Industries 00 Non Ferrous Mining and Metallurgical Industries 800 Miscellaneous Receipts Ac Miscellaneous Receipts

2997-Fines and Penalties -Forfeiture, Seizure, confiscation, etc., D.P.Code No.0853-00-107-AJ-2299 maintained by the Government of Tamil Nadu through e-challan payable at DTO, Vellore and produce the Bank challan receipt before the Judicial Magistrate, Katpadi;

(e) The sureties shall affix their photographs and left thumb impression in the surety bond and produce copy of their Aadhar card or Bank Pass Book to ensure their identity;

(f) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) The petitioner shall not abscond either during investigation or trial;

(h) On breach of any of the aforesaid conditions, the learned Judicial Magistrate, Katpadi /Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Judicial Magistrate, Katpadi/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560] and;

(i) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

Pronounced by me in Open Court, this the 26th day of March, 2026.

Principal Sessions Judge,
Vellore.

To
The Judicial Magistrate, Katpadi.
The Inspector of Police, Thiruvalam P.S.
The Superintendent, Central Prison, Vellore – Communicate to the
Sub jails, if the Under Trial prisoner is incarcerated in any sub jail.