

C.Selvam Vs The State rep.by

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Court : Chennai

Decided On : Jun-25-2026

Judge : Honourable Mr.Justice C.Kumarappan

Appeal No. : CRL OP/16237/2026

Appellant : C.Selvam

Respondent : The State rep.by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN C.Selvam ..Petitioner Vs
The State rep.by The Inspector of Police, Polur Police Station,
Thiruvannamalai District. Cr.No.142 of 2026. ..Respondent PRAYER :
Criminal Original Petition filed under Section 483 of Bharatiya Nagarik
Suraksha Sanhita, 2023, to enlarge the petitioner on bail in respect of
Cr.No.142 of 2026 on the file of Polur Police Station, Thiruvannamalai
District, pending investigation. For Petitioner: Mr.S.B.Viswanathan For
Respondent: Mr.S.Yogaraja Sekar Counsel for Government of Tamil

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2026 for the alleged offence under 303(2) and 326(a) of the Bharatiya Nyaya Sanhita, 2023 (sections 379 and 430 of Indian Penal Code respectively), read with section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.142 of 2026 on the file of the respondent police, seeks bail. Page1 of 5

2. The allegation against the petitioner is that the petitioner was involved

in illegal transportation of one unit of river sand without any valid permit or licence by using pickup truck and that the petitioner was caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was

innocent and that he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the

respondent police reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the petitioner. However, he opposed to grant bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the

submission made by the learned Government counsel (Crl.Side); considering Page2 of 5 the totality of the circumstances and the period of incarceration of the petitioner and upon the fact that there is no previous cases pending against the

petitioner, this Court is of the firm view that for the purpose of investigation, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his

executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate Court, Polur, and on further conditions that: [a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the learned respondent police daily at 10.30 a.m., for the period of four weeks and thereafter, as and when required for interrogation; [c] the petitioner shall not abscond either during investigation or trial; [d] the petitioner shall not tamper with the evidence or witness either during investigation or trial; [e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass

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appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]; [f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

25-06-2026 SHL Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being

uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code. To:

1. The Judicial Magistrate Court, Polur

2. The Inspector of Police, Polur Police Station, Thiruvannamalai District.

3. The Sub Jail, Polur

4. The Public Prosecutor High Court of Madras Page4 of 5 C.KUMARAPPAN J.
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