



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty First day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7416 of 2015

JEYAPRAKASH

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
GUDALUR SOUTH POLICE STATION, THENI DISTRICT
CRIME NO.45/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : M/S.K.V.Rajarajan Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is A1 and he was arrested on 30.03.2015 and remanded to judicial custody for the alleged offences punishable under sections 21(A) of Mines and Minerals (DER) Act 1957 r/w 36(A) of Mines and Minerals Concession Rule, 1957 and section 379(NH), 294(B), 353 and 307 of IPC, in Crime No.45 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 30.03.2015 when the respondent police were on patrolling duty, they found that the accused persons illegally transported 3/4 units of river sand in a tractor and when the same was questioned, the accused persons attempted to dash the tractor against the police officials.

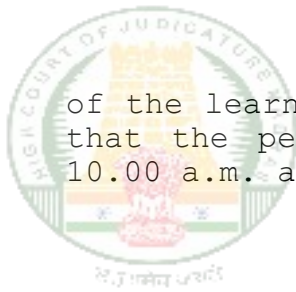
3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is only the driver of the tractor and he has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 30.03.2015.

4.The learned Government Advocate (Criminal side) submitted that the investigation is almost over and no one has sustained injury in the alleged occurrence and one previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Accordingly, the petitioner is ordered to be released on bail, on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction



of the learned Judicial Magistrate, Uthamapalayam and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. and 05.00 p.m. until further orders.

sd/-
21/04/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
- 2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
GUDALUR SOUTH POLICE STATION, THENI DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.20627.

TS/21.04.2015/2P-7C

ORDER
IN
CRL OP(MD) No.7416 of 2015
Date :21/04/2015