



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

Wednesday, the Twentieth day of May Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE V.S.RAVI

CRL OP(MD) No.9257 of 2015

1 NANDHAGOPAL
2 VELLAISAMI

... PETITIONERS/ACCUSED NO.1 & 2

Vs

THE SUB INSPECTOR OF POLICE
VEDACHANDUR POLICE STATION, DINDIGUL DISTRICT.
CR.NO. 182 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PALANIVELAUYTHAM Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This is an application filed by the petitioners/A1 & A-2, who have been arrested and remanded to judicial custody on 07.05.2015 for the alleged offences punishable under Sections 379, 353 and 307 I.P.C r/w Sections 4 & 21(2) of Mines and Mineral Development Regulation Act in Crime No.182 of 2015 on the file of the respondent police seeking bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the State.

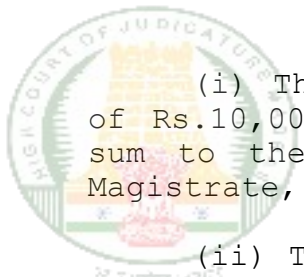
3.It is stated in the petition that the occurrence is alleged to have taken place on 07.05.2015 at about 14.10 hours and subsequently, the petitioners have been arrested.

4.According to the prosecution, on enquiry, they came to know that the lorry bearing Registration No.TN 57 AB 9220 belongs to one Nandagopal, who is the first petitioner herein and it has been driven on the date of occurrence by the second petitioner herein.

5.It is stated in the petition that no such occurrence was taken place and a false case has been foisted by the respondent.

6. The learned Government Advocate(Crl. Side) on instructions from the respondent reported that two units of sand worth about Rs.2,000/- has been seized and a case has been registered on 07.05.2015 and the petitioners have been arrested on the same day and the said lorry has been taken into custody. Further, it is also reported on behalf of the respondent that there is no previous case pending as against the petitioners.

7.On consideration of the above mentioned facts and circumstances <https://hcservicesindia.gov.in/services> the present case, it is found that the present case is a fit case for grant of bail with conditions. Accordingly, the petitioners are ordered to be released on bail on the following conditions:-



(i) The petitioners shall execute separate personal bond for a sum of Rs.10,000/- (Rupees ten thousand Only) with two sureties for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Vedachandur, Dindigul District.

(ii) The petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

(iii) The petitioners shall surrender their passport, if any, before the trial Court.

(iv) The petitioners shall not leave the present petition mentioned Village, without prior permission of the concerned Court.

(v) The petitioners shall not try to intimidate, threat, influence or allure the prosecution witnesses in any manner.

(vi) In case of any breach or violation of any of the above said conditions, the State would be at liberty to move the Court for cancellation of bail granted to the petitioners.

(vii) The petitioners shall make themselves available for interrogation by the police officer as and when required.

(viii) The petitioners should furnish their residential address to the investigation officer forthwith by producing the true copy of the ration card/Voter ID/Adhar Card.

sd/-
20/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDACHANDUR, DINDIGUL DISTRICT.
 2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 3. THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
 4. THE SUB INSPECTOR OF POLICE
VEDACHANDUR POLICE STATION, DINDIGUL DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.PALANIVELAUYTHAM Advocate SR.No. 25822
- SR/SJW : 22.05.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.9257 of 2015
Date :20/05/2015