



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

Wednesday, the Twenty Seventh day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12791 of 2017

SARAVANAKUMAR

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THENNILAI POLICE STATION,
IN CR.NO.106 OF 2017,
KARUR DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.BALAJI Advocate

For Respondent : MR.K.S.DURAI PANDIAN,
ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested on 29.08.2017 for the offences punishable under Sections 21(1)(a)(b) of the Mines and Minerals Development and Regulations Act, 1957 read with Sections 468, 471, 420 and 379 of I.P.C. in Crime No.106 of 2017 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner has illegally transported 3 units of river sand.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that no previous case is pending against the petitioner before this Court. The vehicle which is used for quarrying river sand, has been seized by the respondent Police. He further submitted that investigation is still pending.

5.Considering the facts and circumstances of the case and considering the fact that the petitioner is not having any similar type of offence and the vehicle with sand was seized by the



respondent Police, this Court is inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the following conditions:

(i) the petitioner shall execute a 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 Judicial Magistrate No.II, Karur;

(ii) the petitioner is directed to appear before the concerned Court daily at 10.30 a.m. for 15 days;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/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 Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-
27/09/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PJL
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KARUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT
- 3 THE INSPECTOR OF POLICE
THENNILAI POLICE STATION, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, SUB JAIL, KARUR.

+1. CC to M/S.V.BALAJI Advocate SR.No.31685

GJM/RR/BS/SAR-2-28.9.17-2P-7C

ORDER
IN
CRL OP(MD) No.12791 of 2017
Date : 27/09/2017