



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7542 of 2018

MURUGESH @ MURUGAN,

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT.
(CR.NO.133/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PALANI VELAYUTHAM Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/A-3, who was arrested and remanded to judicial custody on 14.04.2018 for the alleged offences punishable under Sections 294(b), 353, 307, 379 of I.P.C(Sand Theft) r/w Section 21 (1) of Mines and Minerals(Development and Regulation) Act, 1957, in Crime No.133 of 2018 on the file of the respondent police and hence, seeks bail.

2. The allegation against the petitioner and others is that when they were filling up river sand in a Tipper Tempo, the police questioned the same and for that, the petitioner and others attacked the police and attempted to murder the police officials.

3. On the side of the petitioner, it is stated that the petitioner is an innocent person and is in judicial custody from 14.04.2018 and the petitioner is only A-3 in this case and hence, prayed that the petitioner to be released on bail.

4. On the side of the respondent, it is stated that the petitioner and others attacked the police officials with deadly weapons and used filthy language when they committed theft of river sand and hence, objected to release the petitioner on bail.



5. The allegations against the petitioner committing theft of river sand causing damage to the ecological system and attacking police officials are grievous in nature.

6. In these circumstances, this Court is not inclined to release the petitioner on bail. Hence, this petition is dismissed.

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sd/-
03/05/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER INCHARGE,
SUB JAIL, KULITHURAI, KANYAKUMARI DISTRICT

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.8125

PM
GJM/RR/VK/4.5.18-2P-5C

ORDER
IN
CRL OP(MD) No.7542 of 2018
Date :03/05/2018