



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

Tuesday, the Sixteenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) No.18742 of 2018

1 REJIN

2 VINUKUMAR

3 SHAJI @ KRISHNAN

... PETITIONERS / ACCUSED NO.1,3 & 4

Vs

STATE REP. BY

THE INSPECTOR OF POLICE,  
MARTHANDAM POLICE STATION,  
KANYAKUMARI DISTRICT.

(CR NO.402/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.MANIMARAN Advocate

For Respondent : MR.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 29.09.2018 for the offences punishable under Section 379 I.P.C and Sections 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.402 of 2018 on the file of the respondent police. They seek bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The case of the prosecution is that on 28.09.2018 at 7.00 p.m. at Pallayankatti, the petitioners were loading red sand with the help of Tipper Tempo Vehicles and JCB Hitatchi without getting any permission from the Government.

4.The learned counsel for the petitioners would submit that the petitioners have not committed any offence and they have been falsely implicated in this case. The petitioners are in judicial custody from 29.09.2018. They are innocent person. Hence, they plays for grant of bail to the petitioners.



5. Considering the above facts and circumstances and also considering the period of incarceration of the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kuzhithurai.

(ii) the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders.

sd/-

16/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
KUZHITHURAI.

2 -DO- THROUGH THE CHIEF  
JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.

3 THE INSPECTOR OF POLICE  
MARTHANDAM POLICE STATION,  
KANYAKUMARI DISTRICT.

4 THE OFFICER INCHARGE,  
SUB JAIL, KUZHITHURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.MANIMARAN Advocate SR.No.19782

ORDER

IN

CRL OP(MD) No.18742 of 2018

Date :16/10/2018

JM/PN/SAR 2/16.10.2018/2P/7C