

THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 07.04.2020

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7204 of 2020

1. Rajakumar M/A 47 S/o Poomani
2. Praveenkumar M/A 29 S/o Natarajan
3. Praveen M/A 28 S/o Jayaraman .. Petitioners

.Vs.

State Rep.by:
The Inspector of Police,
Keelayur Police Station
Nagapattinam
[Cr.No.60 of 2020]

.. Respondent

Prayer: Petition filed under Section 439 Cr.P.C., to enlarge the Petitioners/Accused on bail in Cr.No.60 of 2020 on the file of the Respondent police.

For Petitioners : Mr. M. Govindaraju

For Respondent : Mr.C. Iyyappa Raj
Additional Public Prosecutor

ORDER

The Petitioners, who have been arrested under Section 379, 430 of I.P.C r/w 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Cr.No.60

of 2020 on the file of the Respondent Police, seek bail.

2. It is the case of the prosecution that on 16.03.2020 at 4.00 a.m. when the respondent police have conducted a raid at Vilunthamavadi Kannithoppu bus stop based on the tip of illegal sand mining, seized the Ashok Leyland Taurus Lorry bearing Registration No.TN 47 AU 3184 illegally carrying sand from Kumbakonam Anaikarai Cauvery River without appropriate papers and approval from the Government. Hence the respondent police arrested the petitioners/accused.

3. Learned counsel for the Petitioner submitted that the petitioners are innocents and they are law abiding citizens. They hail from respectable families. Learned counsel further submitted that if they are released on bail they will not abscond or tamper witnesses and they are ready and willing to abide by any condition of this Court.

4. Learned Additional Public Prosecutor opposed to release the accused on bail.

5. Considering the facts and circumstances of the case and also considering the submission of the learned counsel for the petitioners that the petitioners are ready and willing to abide by the condition of the Court, I am inclined to grant interim bail till 30.04.2020 to the Petitioners on the following Conditions:

1. The Petitioners shall pay sum of Rs.30,000/- (Rupees Thirty Thousand only) each, to the Chairman, District Minerals Foundation Trust, Nagapattinam District and produce the receipt before the prison authorities.
2. On production of the receipt of payment, the petitioners shall execute a personal bond of Rs.10,000/- each before Superintendent of Prison concerned.
3. The Superintendent of the Prison concerned is directed to send the receipts and bail bonds to the Court concerned after executing the bail bonds.
4. The Petitioners/Accused shall remain in their houses for the next 15 days from the date of their

release.

6. List the Criminal Original Petition on 24.04.2020.

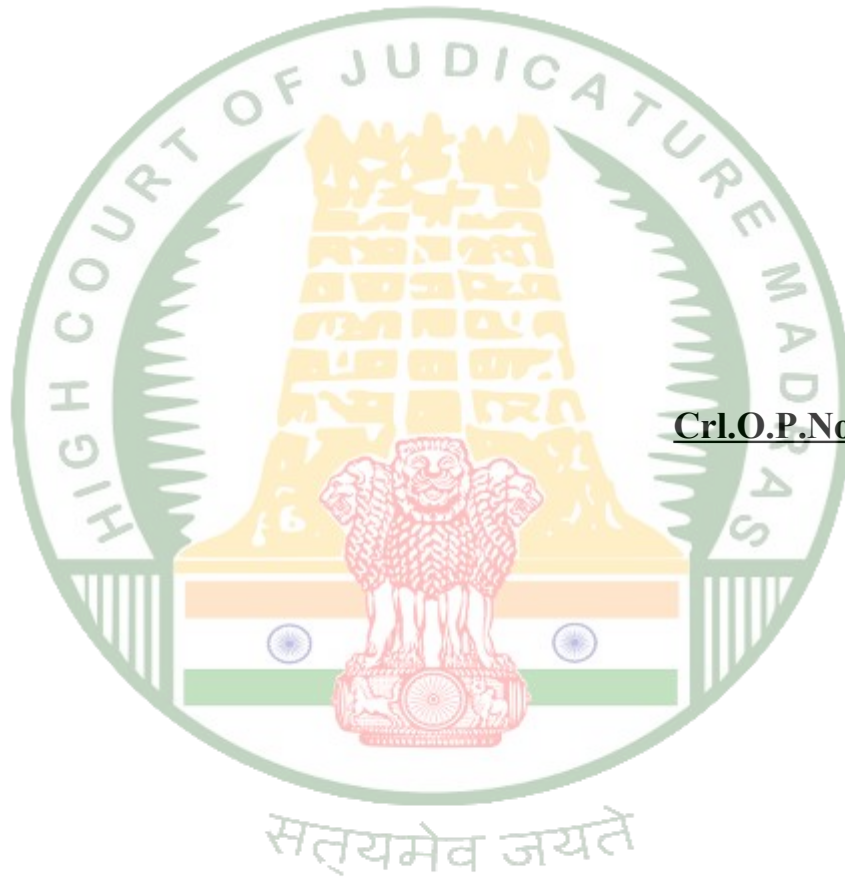
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N. SATHISH KUMAR, J.
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order in:
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