



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/03/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4416 of 2020

Sargunam

... Petitioner/Accused
(Rank Not Known)

Vs

State rep.by
The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.24 of 2020)

... Respondent/Complainant

For Petitioner : Mr.M.Pitchai Muthu,
Advocate.

For Respondent : Mr.S.Chandarasekar,
Additional Public Prosecutor

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

PRAYER :-

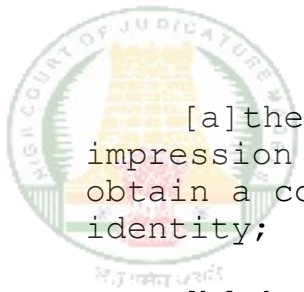
for Bail in Crime No.24 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner herein involved in illegal sand mining was arrested by the respondent police on 25.02.2020, for the alleged offences under Section 379 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.24 of 2020. The owner and the driver of the vehicle have ran away from the scene of occurrence, on seeing the patrol party. This petitioner who was loading the mined sand in the Tractor was caught and arrested. For the past 15 days, the petitioner is in jail.

2.Considering the gravity of the offence and the involvement of the petitioner in the crime, this Court is inclined to grant bail to the petitioner with certain conditions.

3.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Thanjavur District;



[a]the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b]the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) to the credit of Crime No.24 of 2020 before the learned District Munsif-cum-Judicial Magistrate, Orathanadu, Thanjavur District, without prejudice his defence before the trial Court;

[c]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d]the petitioner shall not abscond either during investigation or trial.

[e]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned 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 learned 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].

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

11/03/2020

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
THIRUVONAM POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.PITCHAI MUTHU, Advocate (SR-5150[I] dated 11/03/2020

ORDER IN

CRL OP(MD) No.4416 of 2020

Date :11/03/2020

MS/VR/SAR-1/11.03.2020/2P.7C

<https://hcservices.ecourts.gov.in/hcservices/>