



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

WEB COPY

CRL OP(MD) . No.4921 of 2020

Vignesh

... Petitioner/2nd Accused

Vs

State Rep.by
The Inspector of Police,
Melathur Police Station,
Thanjavur District.
Crime No.16/2020

... Respondent/Complainant

For Petitioner : M/s.B.Senthil Nathan, 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. 16 of 2020 on the file of the respondent police.

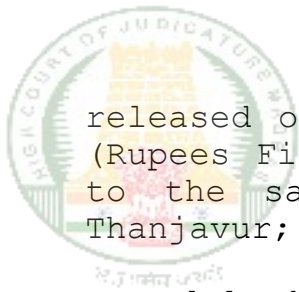
ORDER : The Court made the following order :-

The petitioner is arrayed as accused No.2. He was arrested and remanded to Judicial Custody on 20.02.2020 for the offences punishable under Sections 379 of I.P.C. r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.16 of 2020, on the file of the respondent police. He seeks bail.

2.The petitioner herein was arrested while illegally transporting 2 ½ units of river sand without permission in Lorry bearing Reg.No.TN-10-P-8076. The petitioner claims that he is only the driver and the owner of the lorry is still at large and the vehicle was also seized.

3.The learned Additional Public Prosecutor appearing for the State would submit that the petitioner in connivance with the owner of the lorry had transported the river sand illegally and the earlier bail petition of this petitioner was dismissed on 09.03.2020. The Lorry has already been seized and the owner of the lorry one Murthy is absconding and the police is after him.

4.Considering the period of incarceration and the nature of the crime, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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 Judicial Magistrate No.III, Thanjavur;

[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.2,00,000/- (Rupees Two Lakhs only) in the crime account in Crime No.16 of 2020, on the file of the Melathur Police Station, before the learned Judicial Magistrate No.III, Thanjavur, without prejudice to his rights and contentions before the trial Court ;

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[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/-

23/03/2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

4. THE INSPECTOR OF POLICE,
MELATHUR POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.B.SENTHIL NATHAN, Advocate (SR-5655[I] dated 23/03/2020
ORDER IN

CRL OP(MD) No.4921 of 2020

Date :23/03/2020