



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

Date : 11/05/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.5301 of 2020

M.THIYAGARAJAN

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THANJAVUR TOWN EAST POLICE STATION,
THANJAVUR, THANJAVUR DISTRICT.
(CRIME NO. 81 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.A.Thiruvadi Kumar,
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.81 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is arrayed as sole accused. He was arrested and remanded to Judicial Custody on 05.03.2020, for the offence punishable under Section 379 of I.P.C. r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.81 of 2020, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner on 05.03.2020 illicitly transporting $\frac{3}{4}$ unit of river sand was apprehended along with the Bolero Pickup vehicle and arrested.

3.The learned Additional Public Prosecutor appearing for the State would submit that the quantity of sand involved is $\frac{3}{4}$ unit and



4. Taking note of the fact and the submission made by the learned Additional Public Prosecutor this Court is inclined to grant bail to the petitioner by imposing conditions.

5. The petitioner is directed to deposit a sum of Rs.60,000/- (Rupees Sixty thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust.

6. On such deposit, the petitioner is ordered to be released on bail on his executing own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) subject to the satisfaction of the Superintendent, District Jail, Pabanasam, Thanjavur District and on further condition that

i) the petitioner herein shall execute a bond for a sum of Rs.25,000/- with two sureties of like sum on or before 05.06.2020 to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur.

ii) the petitioner shall not tamper with evidence or witness.

iii) the petitioner shall not abscond during trial.

iv) 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].

v) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/05/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

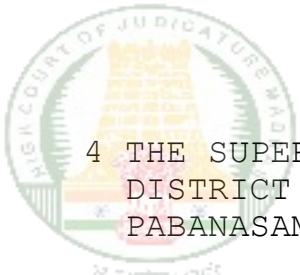
TO

1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

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

3 THE INSPECTOR OF POLICE
THANJAVUR TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.

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



4 THE SUPERINTENDENT,
DISTRICT JAIL,
PABANASAM, THANJAVUR DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.

ORDER

IN

CRL OP(MD) No.5301 of 2020

Date :11/05/2020

SJI

JM/PN/SAR 3/11.05.2020/3P/7C