



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

Date : 04/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1532 of 2021

Manikandan ... Petitioner/Sole Accused

Vs

The State Rep.by,
The Sub Inspector of Police,
Nducauvery Police Station,
Thanjavur District
Crime No.992/2020.

... Respondent/Complainant

For Petitioner : Mr.D.R.Murugesan,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 992/2020 on the file of the respondent Police

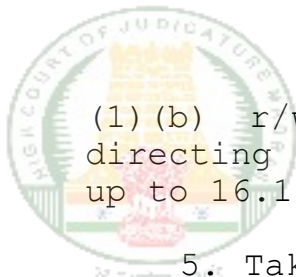
ORDER : The Court made the following order :-

The petitioner/sole accused herein who were arrested and remanded to judicial custody on 12.01.2021 for the alleged offence under Sections 379 of IPC r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has committed a theft of three bags of river sand in a two wheeler without permission from the authorities. Hence the complaint

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case.

4.The learned Government Advocate(Crl.Side) appearing for the State would submit that the petitioner is having previous cases of similar nature. Further an order has been passed under Section 122



(1)(b) r/w.117 of Cr.P.C against the petitioner on 01.02.2021 directing the petitioner to be in prison until the expiry period up to 16.10.2021.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the order passed by the Sub Divisional Magistrate/Revenue Divisional Officer, Thanjavur and also taking into consideration the involvement of petitioner in these type of cases, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
04/02/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SUPERINTENDENT, CENTRAL JAIL,
TRICHY
2. THE SUB INSPECTOR OF POLICE,
NDUCAUVERY POLICE STATION,
THANJAVUR DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1532 of 2021
Date : 04/02/2021

AAV
PK/JC/SAR-III/09.02.2021 : 2P/4C