



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20540 of 2021

Chinnathambi

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.
Cr.No.420 of 2021.

... Respondent/Complainant

For Petitioner : M/s.RAMESHKUMAR.D, Advocate.

For Respondent : R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.420 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who were arrested on 01.12.2021 for the alleged offence under Section 379 of IPC and Sections 21(1), 21(2) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.420 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had illegally transported 1/4 unit of river sand by using Bullock Cart without any valid permission. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person, that he is not having any previous case at his credit. He further submitted that the petitioner is ready to file an undertaking affidavit before the respondent police stating that he will not indulge any offence in future. He would further submit that the petitioner is in judicial custody from 01.12.2021.

4.The learned Additional Public Prosecutor, appearing for the respondent would submit that the petitioner is not having two previous case at his credit and the investigation is not yet completed.

5.Considering facts and circumstances of this case, the period of incarceration and the undertaking given by the petitioner, this



Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi, Pudukkottai District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7. The petitioner is directed to file an undertaking affidavit before the respondent police stating that he will not indulge any offence in future. If any fresh case is registered against the petitioner in future, the bail granted by this Court is stands automatically cancelled without reference of this Court.

sd/-

22/12/2021

/ TRUE COPY /

/ /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 JUDICIAL MAGISTRATE
ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE
SUB JAIL, ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
AVUDAIYARKOIL POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.20540 of 2021
Date : 22/12/2021

SA/VR/SAR.3/22.12.2021/2P/6C