



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4686 of 2022

RAMESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
SUB INSPECTOR OF POLICE,
MATHIKONPALAYAM POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO.45 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.PRABAKARAN Advocate

For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 13.02.2022 for the offence punishable under Section 379 of IPC r/w. 21(1) of MMDR Act, in Crime No.45 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 13.02.2022, for illegally transporting 5 units of M-sand in the lorry.

3. The learned counsel for the petitioner states that for personal use along with cement, the petitioner transported M-sand and it is not illegally transported.

4. Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondent police.



5. Considering the submissions made, the petitioner is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall deposit of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the credit of the concerned District Mineral Foundation Trust. On such deposit the trial court shall release the petitioner on bail receiving a 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 Principal District & Sessions Judge, Dharmapuri;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating officer daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
28/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, DHARMAPURI.



2 THE SUB INSPECTOR OF POLICE,
MATHIKONPALAYAM POLICE STATION,
DHARMAPURI DISTRICT.

3 THE OFFICER INCHARGE
SUB JAIL, DHARMAPURI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.PRABAKARAN Advocate on payment of necessary
charges SR.NO.3081

CRL OP.4686/2022

Date :28/02/2022

JPA 01/03/2022