



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.5580 of 2022

1. Sundareswaran

(*) 2. Ravi @ Ravichandran

.. Petitioners

Vs.

State rep. by
The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.
(Crime No. 43 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in connection with the Crime No.43 of 2022 on the file of the respondent police.

For Petitioner : Mr.C.Prabakaran

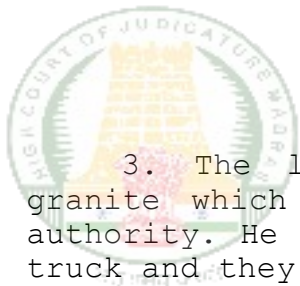
For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor
(DATED 10.03.2022)

: M/S.S.SANTHOSH,
Govt. Advocate (CrI. Side)
(DATED 06.04.2022)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 24.02.2022 for the offences punishable under Sections 379, 464 and 4(1)(1A) and 21(1) Minerals Act 1957 in Crime No.43 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners are the drivers of the trucks, wherein were involved in illegal transportation of granite without any valid permit and further it is alleged that the vehicle was overloaded.



3. The learned Counsel for the petitioners states that the granite which was transported has valid permit from the concerned authority. He further submits that the petitioners are drivers of the truck and they are not aware of the fact that it was overloaded.

4. Considering the submissions made, the petitioners are ordered to be released on bail subject to the following conditions;

(a) The petitioners shall deposit a sum of Rs.50,000/- each (Rupees Fifty Thousand Only) each 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.1,00,000/- (Rupees One lakh only) with two sureties, each for a like sum to the satisfaction of the learned Principal 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 petitioners are directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

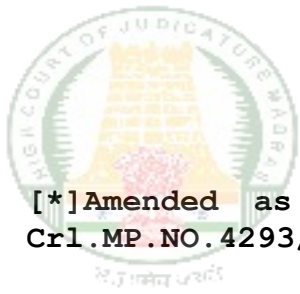
-sd/-

10/03/2022

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.



[*]Amended as per order of this court dated 06.04.2022 made in
Crl.MP.NO.4293/2022 in Crl.O.P.No. 5580/2022

TO

WEB COPY

1 THE PRINCIPAL SESSIONS JUDGE
DHARMAPURI

2 THE INSPECTOR OF POLICE,
THOPPUR POLICE STATION,
DHARMAPURI DISTRICT

3 THE OFFICER INCHARGE
SUB JAIL, DHARMAPURI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
DHARMAPURI.

+1 CC to M/S C.PRABAKARAN Advocate on payment of necessary
charges SR.NO.5357

CRL OP.5580/2022

Date :10/03/2022

JPA 11/03/2022

RW 07/04/2022