



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Crl.O.P.No.5689 of 2022

Partheeban

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Needamangalam Police Station,
Thiruvarur District.
(Crime No.44 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 Crime No.44 of 2022 on the file of the Inspector of Police, Needamangalam Police Station, Thiruvarur District.

For Petitioner : Mr.Swamisubramanian

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 24.02.2022 for the offences punishable under Section 379 of IPC and in Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957 in Crime No.44 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested for illegal transportation of 1/4th unit of river sand in a bullock cart and a case was registered in Crime No.44/2022 on the file of the respondent police

3.Considering the facts of the case and the vehicle which was used by the accused person to transport river sand has already been seized, bail granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) petitioner shall deposit **Rs.5,000/- (Rupees Five Thousand Only)** as non-refundable deposit 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Needamangalam, Thiruvavarur District.

(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 report before the Investigating Officer as and when required.**

(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/-
11/03/2022

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.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NEEDAMANGALAM,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
NEEDAMANGALAM POLICE STATION,
THIRUVARUR DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL, NANNILAM.

7 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THIRUVARUR.

+1 CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary
charges SR.NO.3796

CRL OP.5689/2022

Date :11/03/2022

TA-14/03/2022