



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.5771 of 2022

Selvam

... Petitioner/A-1

Vs.

State rep. by
The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.
(Crime No.94 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.94 of 2022 on the file of the respondent police.

For Petitioner : Mr.V.Vijayakumar

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

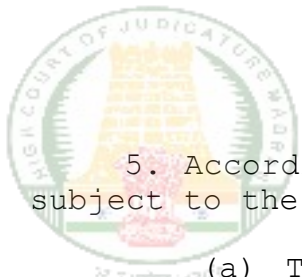
ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.02.2022 for the offences punishable under Section 379 IPC in Crime No.94 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was involved in illegal transportation of 3 bags of river sand in his tractor without any permission from the concerned authorities. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Taking into consideration of the above submissions, this Court is inclined to grant bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions.

(a) The petitioner shall deposit a sum of Rs.5,000/- (Rupees 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned JM, Uthangarai;

(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 as and when required for interrogation.

(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.

6. However, grant of bail shall not stand in the way of the authorities to initiate confiscation proceedings relating to the vehicle involved in the offence.

-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 JUDICIAL MAGISTRATE,
UTHANGARAI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
UTHANGARAI POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE OFFICER INCHARGE
SUB-JAIL, UTHANGARAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
KRISHNAGIRI

+2 CC to M/S.V.VIJAYAKUMAR Advocate on payment of necessary
charges SR.Nos.3772 & 3782

CRL OP.5771/2022

Date :11/03/2022

JPA 11/03/2022