



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.6711 & 6762 of 2022

Nallathambi .. Petitioner in Crl.O.P.No.6711 of 2022

Nagalingam .. Petitioner in Crl.O.P.No.6762 of 2022

Vs.

State rep. by
The Inspector of Police,
Kalappal Police Station,
Mannargudi Taluk,
Tiruvarur District.
(Crime No.45 of 2022)
in both petitions

.. Respondent

COMMON PRAYER: Criminal Original Petitions have been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in Crime No.45 of 2022, Kalappal Police Station, Tiruvarur.

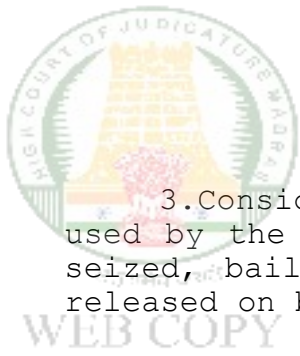
For Petitioner : Mr.S.Mayilnathan
in both petitions

For Respondent : Ms.G.V.Kasthuri
in both petitions Additional Public Prosecutor

C O M M O N O R D E R

The petitioners/A1 and A2, who were arrested on 12.03.2022 for the offences punishable under Section 379 and 430 of IPC in Crime No.45 of 2022, on the file of the respondent police, seeks bail.

2.The petitioners herein were arrested on 12.03.2022 for illegal transportation of 1/2 unit of river sand in a bullock cart and a case was registered in Crime No.45/2022 on the file of the respondent police



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

(a) Each of the petitioners 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 petitioners 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 Judicial Magistrate No.1, Mannargudi.

(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 report before the Investigating Officer as and when required.

(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/-
23/03/2022

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,
NO. I, MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, THIRUTHURAIPUNDI.

4 THE INSPECTOR OF POLICE,
KALAPPAL POLICE STATION,
MANNARGUDI TALUK, TIRUVARUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S. S.MAYILNATHAN Advocate on payment of necessary
charges SR.NOs. 4372 & 4373

CRL OP.NOs.6711 & 6762/2022

Date :23/03/2022

RW 23/03/2022