



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8445 of 2022

Vinith

.. petitioner

Vs.

State rep. by
The Inspector of Police,
Thirumakottai Police Station,
Tiruvarur District.
(Crime No.32 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.32 of 2022, on the file of the Inspector of Police, Thirumakottai Police Station, Thiruvarur.

For petitioner : Mr.Swamisubramanian

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner/A2, who was arrested on 02.04.2022 for the offences punishable under Sections 379 of IPC and 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.32 of 2022, on the file of the respondent police, seek bail.

2.The petitioner herein was arrested on 02.04.2022 for the illegal transportation of 1/2 unit of river sand in TATA ACE without any permit and a case was registered against the petitioner in Crime No.32 of 2022 on the file of the respondent police.

3.Considering the fact that the vehicle, which was used by the accused person to transport river sand has already been seized, this Court is inclined to grant bail to the petitioner. Accordingly, he is ordered to be released on bail subject to the following conditions;



(a) The petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.32 of 2022, within a period of seven days from the date on which the order copy made ready. On such deposit, the trial court shall release the petitioner on bail receiving a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Mannargudi, 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/-

12/04/2022

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.II, MANNARGUDI, TIRUVARUR DISTRICT.

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



3 THE OFFICER INCHARGE,
SUB JAIL, MANNARGUDI.

4 THE INSPECTOR OF POLICE,
TIRUMAKOTTAI POLICE STATION,
TIRUVARUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. SWAMISUBRAMANIAN Advocate on payment of necessary
charges

CRL OP.8445/2022

Date :12/04/2022

RW 13/04/2022