



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11616 of 2022

VEERAMUTHU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TP CHATHIRAM POLICE STATION,
CHENNAI.
(CR.NO.93/2022)

[RESPONDENT]

For Petitioner : M/S.K.T.S.SIVAKUMAR Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

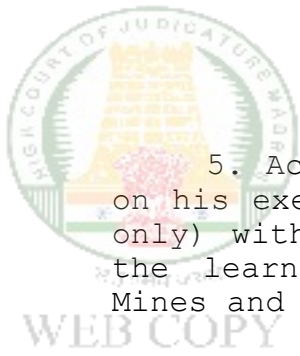
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 16.04.2022 for the alleged offences under Section 379 of IPC and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.93 of 2022 on the file of respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had illegally transported stone sand without getting any permission from the concerned authorities.

3. Heard Mr.K.T.S.Sivakumar, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.

4. Taking into consideration the facts and circumstances of the case and also of the fact that there are no previous cases against the petitioner and the petitioner has already suffered incarceration for nearly 33 days, this Court is inclined to enlarge the petitioner on bail by imposing some stringent conditions.



5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Chennai, Special Court for Mines and Minerals Act Case, subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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 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/-

19/05/2022

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 PRINCIPAL SESSIONS JUDGE
SPECIAL COURT FOR MINES AND MINERALS
ACT CASES, CHENNAI.

2 THE INSPECTOR OF POLICE,
TP CHATHIRAM POLICE STATION,
CHENNAI.



3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.K.T.S.SIVAKUMAR Advocate on payment of necessary
charges SR.NO.7445

CRL OP.11616/2022

Date :19/05/2022

CSK 20/05/2022