



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.11980 of 2022

1 ARAVINDH @ ARAVINDHAN [PETITIONERS / ACCUSED]
2 VIVEKANANTHAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
MANALMEDU POLICE STATION,
MAYILADUTHURAI DISTRICT.
CRIME NO.128/2022.

For Petitioner : M/S.C.T.SARAVANAN Advocate

For Respondent : MR.E.RAJ THILAK, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 23.04.2022 for the alleged offence under Section 379 of I.P.C in Crime No.128 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were illegally transported 1 unit of river sand in a Tractor.

3. Heard Mr.C.T.Saravanan, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and also the fact that the entire illegally transported sand has already been seized and the petitioners have already suffered incarceration for nearly 26 days and there are no previous cases against the petitioners, this Court is inclined to enlarge the petitioners on bail by subjecting them to stringent conditions.

5. In view of the above discussion, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial



Magistrate-1, Mayiladuthurai, and the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) before Madras Advocates Clerk Association, Chennai and on further conditions that:-

[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 petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) before Madras Advocates Clerk Association, Chennai and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioners shall report before the respondent police as and when required.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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 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].

[g] 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

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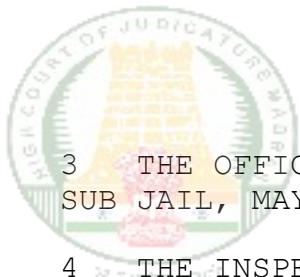
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MAYILADUTHURAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
MAYILADUTHURAI DISTRICT.[FOR INFORMATION]

<https://hcservices.ecourts.gov.in/hcservices/>



3 THE OFFICER INCHARGE,
SUB JAIL, MAYILADUTHURAI.

4 THE INSPECTOR OF POLICE
MANALMEDU POLICE STATION,
MAYILADUTHURAI DISTRICT.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS-104.

6 THE MADRAS ADVOCATES CLERK ASSOCIATION,
HIGH COURT, MADRAS.

+1 CC to M/S.C.T.SARAVANAN Advocate on payment of necessary
charges Sr.7702

CRL OP.11980/2022

Date :19/05/2022

SRG 20/05/2022