



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION No.12608 of 2022

1 SARATHKUMAR
2 SAKTHIVEL

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM CITY-DISTRICT.
(CRIME NO.301/2022)

[RESPONDENT]

For Petitioner : M/S.T.MEGANATHAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

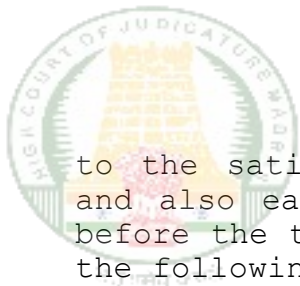
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 22.04.2022 for the alleged offence under Sections 379 IPC and Section 21(1) Mines and Minerals (Development and Regulation) Act 1957 in Crime No.301 of 2022 on the file of the respondent police, seek bail.

2. The allegation against the petitioners is that, in a two-wheeler, they tried to illegally quarry white stones (Magnesite) weighing about 70 kgs.

3. Considering the nature of the allegations and the fact that the petitioners are in prison from 22.04.2022, I am inclined to enlarge the petitioner on bail.

4. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of Rs. 10,000 /- (Rupees Ten Thousand only) each with two sureties, each for a like sum



to the satisfaction of the learned Judicial Magistrate No.2, Salem and also each of the petitioners shall deposit a sum of Rs.2,000/- before the trial court to the credit of the Crime No. 301 of 2022, on the following further conditions:-

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[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 report before the respondent police once in a week at 10.30 a.m. until further orders.

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

[d] the petitioners 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 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.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

26/05/2022

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 JUDICIAL MAGISTRATE,
NO.2, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM CITY-DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.12608/2022

Date :26/05/2022

CSK 27/05/2022