



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V.KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.13040 of 2022

RAJ KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
TIRUVALLUR DISTRICT.
(CRIME NO.185 OF 2022)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S. K.ELUMALAI Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

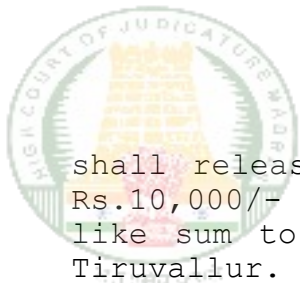
The petitioner, who was arrested on 19.05.2022 for the offences punishable under Sections 379, 430 of IPC r/w 21(1) of the Tamil Nadu Mines and Mineral (Development and Regulations) Act in Crime No.185 of 2022, seeks bail.

2. The case of the prosecution is that the respondent, on their routine raid, found a lorry bearing Registration No.TN-31-F-9793 carrying 2 units of river sand without valid permit. The petitioner is the driver of the subject vehicle.

3. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

[a]the petitioner shall deposit Rs.10,000/- (Rupees Ten 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 petitioner on bail receiving a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate I, Tiruvallur.

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[b]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.

[c]the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders.

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

[e]the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner shall be 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/-

02/06/2022

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-I,
TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
TIRUVALLUR DISTRICT.



4 THE OFFICER INCHARGE,
SUB JAIL, THIRUVALLUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TIRUVALLUR DISTRICT.

+1CC to M/S. K.ELUMALAI Advocate on payment of necessary
charges SR.No.8393

CRL OP.13040/2022

Date :02/06/2022

CSK 02/06/2022