



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.13050 of 2022

1 PALPANDIYAN [PETITIONERS / ACCUSED]
2 KARTHIKEYAN

Vs

STATE BY [RESPONDENT/COMPLAINANT]
THE INSPECTOR OF POLICE,
VEERAGANUR POLICE STATION,
SALEM DISTRICT.
(CRIME NO.56/2022)

For Petitioner : M/S.M.SELVAM 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 on 04.05.2022 for the offences punishable under Sections 379 of IPC r/w 21(1) of Mines and Mineral (Development and Regulations) Act in Crime No.56 of 2022, seek bail.

2. The case of the prosecution is that the respondent, on their routine raid, found a Mahindra Van bearing Registration No.TN-51-AL-1825 carrying 1 unit of river sand without valid permit. The first petitioner is the owner of the subject vehicle and the second petitioner is the driver.

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 petitioners.

4. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;



[a]the petitioners 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 petitioners on bail receiving a separate 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, Attur.

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

[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 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,
NO.I, ATTUR.



2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEERAGANUR POLICE STATION,
SALEM DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

+1CC to M/S. M.SELVAM Advocate on payment of necessary charges
SR.No.8443

CRL OP.13050/2022

Date :02/06/2022

CSK 02/06/2022