



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/01/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.446 of 2022

1. Deepan Sakravarthi
2. Ramachandran
3. Muthuramaliangam Sethupathi ... Petitioners/Accused No.2 TO 4

Vs

The state represented by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
Cr.No. 495 of 2021. ... Respondent/Complainant

For Petitioners : M/s.Kumaravel.K,
Advocate.
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.495 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A2 to A4, who were arrested on 27.12.2021 for the alleged offence under Sections 379 of IPC and Sections 21(1) of Mines and Minerals (D&R) Act, 1957, in Crime No.495 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are trying to illegally transport 3 Units of gravel sand without any valid license and permission. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl. Side) submitted that the petitioners are trying to transport 3 Units of gravel sand illegally. He further submitted that the petitioners are arrayed as Accused Nos.2 to 4 and they are not having any previous case.

5. Considering the minerals involved in this case and the period of incarceration and also considering the fact that the



petitioners are not having any previous case, this Court is inclined to grant bail to the petitioners with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal 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, Kadaladi, and on further condition that:

(i) due to COVID-19 pandemic situation, the petitioners shall report before the respondent police **once in 15 days at 10.30 a.m.** until further orders.

(ii) the petitioners shall file an affidavit before the concerned Court stating that they will not indulge in such sort of activities in future.

(iii) if there is any violation of affidavit and if any fresh case is registered against them, the bail granted by this Court in this petition shall stand dismissed automatically without any reference to the Court.

sd/-
11/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE,
KADALADI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
 - 3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.
 - 4 THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.KUMARAVEL.K Advocate SR.No.199

ORDER
IN
CRL OP(MD) No.446 of 2022
Date : 11/01/2022