



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twelfth day of January Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.515 of 2022

VILVALINGAM

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR.NO. 497 OF 2021.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.SIVABALAN K Advocate

For Respondent : M/S.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

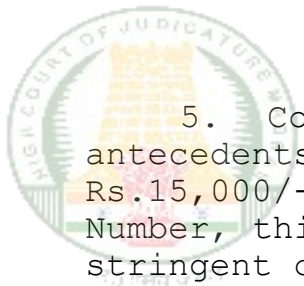
ORDER : The Court Made the following order :-

The petitioner/Accused No.2 herein, who was arrested on 28.12.2021 for the alleged offences under Sections 379 IPC and 21(1) of Mines and Minerals (Development and Regulation Act) 1957, in Crime No.497 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner was driving the tractor along with tipper with one unit river sand illegally. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, to show his *bonafide*, the petitioner has come forward to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.497 of 2021 before the trial Court concerned.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has transported one unit of river sand illegally. He further submitted that there is one previous case pending against the petitioner.



5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime Number, this Court is inclined to grant bail to the petitioner, with stringent conditions.

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.497 of 2021 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is 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 District Munsif-cum Judicial Magistrate Court, Kadaladi, Ramanathapuram District and on further condition that

(i) Due to COVID-19 pandemic situation, the petitioner shall report before the respondent police once in a month i.e., on first Monday of every English Calendar Month at 10.30 a.m. until further orders.

(ii) The petitioner shall file an affidavit before the concerned Court stating that he 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 him, the bail granted by this Court in this petition shall stand dismissed automatically without any reference to the Court.

sd/-
12/01/2022

/ TRUE COPY /

/ /2022

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

TO

1 THE DISTRICT MUNSIF-CUM JUDICIAL MAGISTRATE,
KADALADI, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
SAYALKUDI POLICE STATION, RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE,
TASSEERUPOLEY POLICE STATION, RAMANATHAPURAM.

<https://hcservices.gov.in/TA/ices/>



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-240[I] dated 12/01/2022)

WEB COPY

ORDER

IN

CRL OP(MD) No.515 of 2022

Date :12/01/2022

SA/PN/SAR 1/12.02.2022/3P-7C