



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 24/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.1114 of 2022

WEB COPY

S.Christhuraja

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
Manikandam Police Station,
Trichy District
(Crime No.9 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Paneer Selvam.V.,
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.9 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 04.01.2022 for the alleged offence under Sections 379 IPC r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.9 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner said to have illegally transported ½ unit of river sand, without valid license and permit. Hence, a case in Crime No.9 of 2022 was registered. The petitioner filed a bail petition in Crl.M.P.No.153 of 2022, on the file of the Principal District and Sessions Judge, Tiruchirappalli. That petition was dismissed by the Sessions Judge. Against the same, the petitioner filed this petition.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and prayed the petitioner to be released on bail.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner said to have illegally transported ½ unit of river sand, without valid license and permit. He further submitted that there is one previous case pending against the petitioner herein, in Crime No.519 of 2020,



which is similar in nature.

5. Considering the facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and 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 Judicial Magistrate No.IV, Trichy, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

24/01/2022

/ TRUE COPY /

24/01/2022

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 No.IV,
Trichy.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Superintendent,
Central Prison, Trichy.
4. The Inspector of Police,
Manikandam Police Station,
Trichy District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN

CRL OP(MD) No.1114 of 2022

Date : 24/01/2022