



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

Date : 03/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.1484 of 2022

Muniyasamy @ Kulumai

... Petitioner/Accused No.1

Vs

The State Rep. By,
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No. 6 of 2022).

... Respondent/Complainant

For Petitioner : M/s.R.Babu Jaganath,
Advocate.

For Respondent : Mr.Ss.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

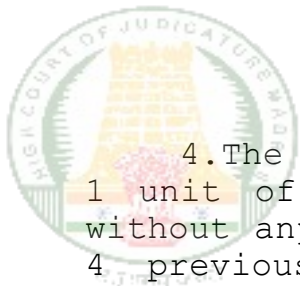
For Bail in Crime No. 6 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 herein, who was arrested on 10.01.2022 for the alleged offence under Sections 379 of IPC r/w 21(1) of Mines and Minerals Act, in Crime No.6 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that when the defacto complainant conducting an inspection, he found 1 unit of river sand in the trailer attached to the Tractor. Hence, the complaint.

3.The learned counsel for the petitioner submitted that petitioner has not committed any offence as alleged by the prosecution. The petitioner was arrested and remanded to judicial custody from 10.01.2022. Ever since, he was in custody. Hence, he prays to grant of bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submitted that the 1 unit of river sand has been illegally by the accused persons without any valid permit by using Tractor. The petitioner is having 4 previous cases.

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5.The learned counsel for the petitioner would submit that he is ready to file an undertaking affidavit that the petitioner will not indulge in such activities in future.

6.Considering the above submission made by the learned counsel for the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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 Court No.II, Ramanathapuram District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

8.The petitioner must file an undertaking affidavit before the concerned Court that he will not indulge in such activities in future. If any fresh case is registered against him, bail granted by this Court, shall stand automatically cancelled, without further reference either to this Court or to the concerned Trial Court.

sd/-
03/02/2022

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/ /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.II,
RAMANATHAPURAM DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER-INCHARGE,
SUB JAIL, MUTHUKULATHOOR,
RAMANATHAPURAM DISTRICT.
4. THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1484 of 2022
Date :03/02/2022

USK/JM/SAR-II/01.02.2022/3P/6C