



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1570 of 2022

1. Tamilkumaran
2. Murugan @ Vaippar Murugan ... Petitioners/Accused 1 & 2

Vs

State rep.by
The Inspector of Police,
Thondi Police Station,
Ramnad District
(Crime No.6 of 2022). ... Respondent/Complainant

For Petitioners : M/s.Venkatesh.D., Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

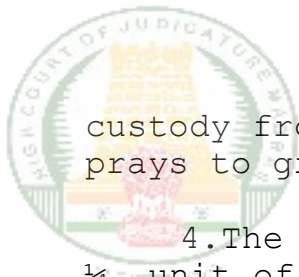
For Bail in Crime No.6 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2 herein, who were arrested on 08.01.2022 for the alleged offence under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.6 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners have illegally transported $\frac{1}{4}$ of unit of river sand by using Bullock Cart. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that <https://hcservices.ecourts.gov.in/hcservices/> petitioners have not committed any offence as alleged by the prosecution. The petitioners were arrested and remanded to judicial



custody from 08.01.2022. Ever since, they were in custody. Hence, he prays to grant of bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that the ¼ unit of river sand has been illegally by the accused persons by using Bullock Card. The first petitioner is having 2 previous cases and the second petitioner is not having any previous case.

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

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

7.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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvadanai, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

8.The petitioners must file an undertaking affidavit before the concerned Court that they will not indulge in such activities in future. If any fresh case is registered against them, 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

/ TRUE COPY /

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

dss

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.



1. THE JUDICIAL MAGISTRATE,
THIRUVADANAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE OFFICER INCHARGE,
SUB-JAIL RAMANAD.
4. THE INSPECTOR OF POLICE
THONDI POLICE STATION,
RAMNAD DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1570 of 2022
Date :03/02/2022

SP/PN/SAR I/04/02/2022/3P/6C