



WEB COPY

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

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2046 of 2022

1.Selvakumar

2.Thomas ... Petitioners/Accused Nos.1&2

Vs

State Rep by
The Inspector of Police,
Thondi Police Station,
Ramnad District.
(Crime No.26/2022). ... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh
Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

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

PRAYER :-

For Bail in Crime No.26 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2 herein, who were arrested on 21.01.2022 for the alleged offence under Sections 379 of IPC and Section 21(1) of the Mines and Minerals (Development and Regulation Act) 1957 in Crime No.26 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners have illegally transported sand in two gunny bags without getting any valid permission. Hence the complaint.



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

4. The learned Government Advocate would submit that the petitioners are having no previous case.

5. However, considering the duration of custody underwent by the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions. The petitioners have to file an undertaking affidavit that they will not indulge in such an illegal activities in future. If any case is registered after grant of bail by this Court, the relief of bail granted to the petitioners will automatically get cancelled.

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) 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 once in 15 days at 10.30 a.m. until further orders.

sd/-
02/02/2022

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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, Thiruvadanai

2. Do Through

The Chief Judicial Magistrate,
Ramanathapuram.



3.The officer incharge,
Sub Jail, Mudukulathur.

4.The Inspector of Police, Thondi Police Station,
Ramanathapuram District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.2046 of 2022
02.02.2022

TR/VR/SAR-IV(02.02.2022) 3P 6C