



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/04/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6394 of 2022

Chandrasekar

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime.No.145/2022.

... Respondent/Complainant

For Petitioner : M/s.Indrachithu.T.,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.145 of 2022 on the file of the Respondent police.

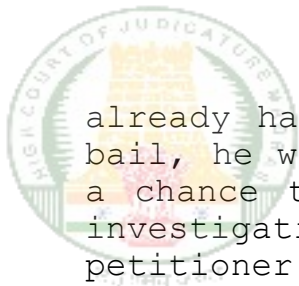
ORDER : The Court made the following order :-

The petitioner/Accused No.3 herein, who was arrested on 06.03.2022 for the alleged offence under Section 379 IPC r/w Section 21 (1) of Mines and Minerals Act in Crime No.145 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused had attempted to transport $\frac{1}{4}$ unit of river sand illegally by using bullock cart. Hence, the complaint.

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.

4.The learned Additional Public Prosecutor submitted that the petitioner and other accused had attempted to transport $\frac{1}{4}$ unit of river sand illegally. He further submitted that the petitioner is



already having two similar type of cases and if he is released on bail, he will involve in similar type of offence again and there is a chance to tampering the prosecution witnesses and hampering the investigation. Hence, he opposed the grant of bail to the petitioner.

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5.Considering the minerals involved in this case and 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 Court, Thiruvaiyaru, Thanjavur District, and on further condition that;

(i) the petitioner shall report before the respondent police once in fifteen days 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 any such sort of activities in future and after, he released from jail on bail

(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/-

06/04/2022

/ TRUE COPY /

06/04/2022

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,
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE OFFICER INCHARGE,
SUB JAIL, PAPANASAM,
THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC TO MR.T.INDRACHITHU, Advocate (SR-3078 dated 07.04.2022)

ORDER

IN

CRL OP(MD) No.6394 of 2022

Date :06/04/2022

RS/PN/SAR.2 (06.04.2022) 3P-7C