



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice **M.S.RAMESH**

CRL OP(MD) . No.8589 of 2022

1.Sahayaraj
2.Vinoth
3.Rasu

...Petitioners/Accused Nos.A1 to A3

Vs

The State Repy by
The Inspector of Police,
Manikandam Police Station,
Trichy District
(Crime No.75 of 2022).

... Respondent/Complainant

For Petitioners : Mr.P.Ganapathi Subramanian
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor.

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

PRAYER :-

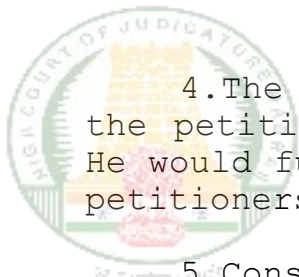
For Bail in Crime No.75 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 26.04.2022 for the offences punishable under Sections 379 IPC and Section 21(4) of Mines and Minerals (Development and Regulation) Act,1957, in Crime No.75 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners have illegally transported one unit of river sand. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. However, he would further submit that the petitioners, without prejudice to their rights, are ready to deposit the amount that may be imposed by this Court.



4.The learned Additional Public Prosecutor would submit that the petitioners have transported one unit of river sand illegally. He would further submit that no previous case is pending against the petitioners.

5.Considering the above and also the nature of the charges levelled against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Trichy and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**

sd/-
05/05/2022

/ TRUE COPY /

05/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Judicial Magistrate No.IV, Trichy

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

2. Do through the Chief Judicial Magistrate,
Trichy.



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.

+1CC to M/s.P.Ganapathy Subramanian, Advocate (SR.No.4311)

CRL OP (MD) No.8589 of 2022

Date :05/05/2022

MGJ/VRS/SAR 3(05.05.2022) 3P 7C