



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD).No.9603 of 2022

1.Chinnanan

2.Ranjitkumar

3.Rajukumar

... Petitioners/Accused Nos.1 to 3

Vs

The State represented by
The Inspector of Police,
Balamedu Police Station,
Madurai District.
(Crime No.72 of 2022).

... Respondent/Complainant

For Petitioners : Mr.V.Muthukamatchi,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.72 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 08.05.2022 for the offences punishable under Section 379 IPC and Section 21(1) of Tamil Nadu Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.72 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners have illegally transported six units red 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 six units red sand illegally. He would further submit that the petitioners are not having any previous cases.

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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 Special District Court to deal with offences related to Mines and Minerals (Development & Rules) Act, Madurai, 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 pay a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** to the credit of Aram Seya Virumbu, Tamilnadu Mercantile Bank, Ambasamudram Branch, A.C.No.423150050800264, without prejudice to their rights and contentions before the trial Court. The petitioners shall execute the sureties on showing the receipt of the said amount.

[c]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.

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

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

[f]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/-

19/05/2022

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19/05/2022

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



TO

1 THE JUDGE,
SPECIAL DISTRICT COURT TO DEAL WITH OFFENCES
RELATED TO MINES AND MINERALS
(DEVELOPMENT AND RULES) ACT, MADURAI.

2 THE INSPECTOR OF POLICE
BALAMEDU POLICE STATION, MADURAI DISTRICT

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1. CC to M/S. MUTHUKAMATCHI.V. Advocate SR.No.4802

ORDER
IN
CRL OP(MD) No.9603 of 2022
Date :19/05/2022

SS/JM/SAR:II/19.05.2022 : 3P/6C