



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

Date : 22/06/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11078 of 2022

1. Arumuga Nainar
2. Madasamy
3. Shanmugasundaram

... Petitioners/Accused No.1 to 3

Vs

The State Rep. By,
The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
Crime No.47 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ebenezer T.A,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.47 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 05.06.2022 for the alleged offence under Section 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.47 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused persons had illegally transported 7 units of M.Sand without any valid permit in the vehicle. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents, that they are not having any previous case at their credit.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners are not having any previous case at their credit and the investigation is not yet completed.



5.Considering the facts and circumstances of this case, that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) to the credit of Cr.No.47 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, 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, Nanguneri, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/06/2022

/ TRUE COPY /

22/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, NANGUNERI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-5950[I] dated 22/06/2022)

ORDER
IN
CRL OP(MD) No.11078 of 2022
Date :22/06/2022

pnm

<https://hccs.csbj.in/CaseDetails/22.06.2022/2P/7C>