



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.11473 of 2022

WEB COPY

Dineshkumar

... Petitioner/Accused
Rank not known

Vs

The State Rep. By,
The Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No. 224 of 2019).

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar C, 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.224 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused (rank not known) herein, who was arrested on 18.06.2022 for the alleged offence under Sections 147, 294(b), 332, 353, 506(i) of IPC and 379 of IPC and Section 21(4) of Mines and Minerals Development and Regulation Act, 1957, in Crime No.224 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused said to have illegally transported the gravel sand in Tipper lorry without having any valid license and said to have assaulted the defacto complainant and ran away from the place of occurrence. Hence, the case.

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 Government Advocate (Crl.Side) submitted that the petitioner was granted anticipatory bail by this Court and later, he has not produced surety within a time and also absconded. The bail application filed by him before the learned Principal Sessions Judge, Theni, in Crl.MP.No.2208 of 2022 was dismissed on 22.06.2022. But, however, he further submitted that no previous case is pending against the petitioner.



5.Considering the period of incarceration and also considering the fact that no bad antecedents reported against the petitioner, 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, Aundipatti, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
28/06/2022

/ TRUE COPY /

28/06/2022
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, AUNDIPATTI.
2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE OFFICER-INCHARGE,
THENI DISTRICT JAIL, THEKKAMPATTI.
4. THE INSPECTOR OF POLICE,
RAJATHANI POLICE STATION,
THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.11473 of 2022
Date :28/06/2022