



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12880 of 2022

WEB COPY

P.Kanthasamy

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Moolaikaraipatti Police Station,
Tirunelveli District.
Cr.No.95/2022.

... Respondent/Complainant

For Petitioner : M/s.Suyambulinga Bharathi.K,
Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.95/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 02.07.2022 for the alleged offence under Section 379 of IPC, in Crime No.95 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has illegally transported 1 unit of M.sand by using Tractor with Tractor bearing Reg.No.TN-72-AU-4192. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He is in custody from 02.07.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned learned Government Advocate (Crl.Side) submitted that the petitioner has illegally transported 1 unit of M.sand by using Tractor with Tractor bearing Reg.No.TN-72-AU-4192. He further submitted that the petitioner is having one previous case in Crime No.95 of 2022.



5.It appears that it was also disposed of and the result of disposal is not known.

6.Considering the facts and circumstances of the case and also considering the fact that the period of incarceration, nature of the mineral involved and the antecedents of the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.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, Nanguneri, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

18/07/2022

/ TRUE COPY /

18/07/2022

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, NANGUNERI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, NANGUNERI, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE, MOOLAIKARAIPATTI POLICE STATION, TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SUYAMBULINGABHARATHI, Advocate (SR-7220[I] dated 18/07/2022)

ORDER IN

CRL OP(MD) No.12880 of 2022
Date :18/07/2022

RS/VR/SAR.2 (18.07.2022) 2P-7C

<https://www.mhc.tn.gov.in/judis>