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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13002 of 2022

1.Esakki Raja
2.Ajithkumar

... Petitioners/Accused No.1 & 2

Vs

The State rep.by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No. 160 of 2022).

... Respondent/Complainant

For Petitioners: M/s.SARAVANAKUMAR.C,
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. 160 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2 herein, who were arrested on 25.06.2022 for the alleged offences under Section 379 IPC (Blue Metal Theft), in Crime No.160 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners have illegally transported 2 units of Blue Metal Stone by using Tipper Lorry bearing Reg.No.TN-72-BR-0279. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they were falsely implicated in this case.

4.The learned Government Advocate (Crl.Sidte) appearing for the respondent police submitted that the petitioners have illegally transported 2 units of Blue Metal Stone by using Tipper Lorry bearing Reg.No.TN-72-BR-0279. He further submitted that A1/first

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petitioner is concerned, no previous case is pending against him. Insofar as the A2/second petitioner is concerned, 1 previous case is pending, which is offence under Section 506(ii) IPC.

5. Considering the duration of incarceration and also considering the fact that nature of mineral involved and no previous case is pending against the petitioners in similar nature, 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 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 Court, Cheranmahadevi, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

19/07/2022

/ TRUE COPY /

20/07/2022

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, CHERANMAHADEVI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S. SARAVANAKUMAR.C., Advocate SR.No.7385

ORDER IN

CRL OP(MD) No.13002 of 2022

Date : 19/07/2022

SA/VR/SAR.1/20.07.2022/2P/7C

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