

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/10/2022
PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP (MD) . Nos.17667 and 17733 of 2022

Raja ... Petitioner/Accused No.1
in Crl.OP (MD)No.17667 of 2022

1. Linga Vijayakumar

2. Ganesan ... Petitioners/Accused Nos.2 & 3
in Crl.OP (MD)No.17733 of 2022

Vs

The State rep.by,
The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.217/2022).

... Respondent/Complainant
in both petitions

For Petitioners : Mr.N.Mohideen Basha
in Crl.OP (MD)No.17667 of 2022

Mr.M.Maharaja
in Crl.OP (MD)No.17733 of 2022

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
in both petitions

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

COMMON PRAYER :-For Bail in Crime no.217/2022 on the file of the
Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 18.08.2022
for the alleged offence under Sections 4(1)(1A) & 21(1) Mines and
Minerals (Development & Regulation) Act, 1957, on the file of the
respondent police, seek bail.

2.The case of the prosecution is that on 18.08.2022, at about
02.40am, the respondent Police party conducted vehicle check-up at
Nanguneri Toll Gate and intercepted the three vehicles bearing
Registration Nos.TN 69 Q 5672, TN 69 AD 5992, TN 69 AD 1001, in

which, the petitioners were the drivers and found 20 tons of pebble stones in each vehicle, which were transported from V.V.Minerals to Tutricorin Port, without valid trip sheet. Hence, the complaint.

3.On the side of the petitioners, it is stated that the petitioners are in custody from 18.08.2022. The petitioners are only drivers of the vehicle. They are not known about the contents of the vehicle and neither owner of the vehicle nor the owner of the warehouse were not arrested by the respondent Police. The petitioners are poor drivers and they are noway connected with the offence. Hence, prays to release them on bail.

4.On the side of respondent, it is stated that in this case, totally four accused. The petitioners are drivers and arrayed as A1 to A3. A4 is the owner of V.V.Mineral. The seized property is 60 tons of pebble stones, which is used for Atomic Reaction and its worth is more than Crores. Investigation is not yet completed. Hence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case, considering the value and quantity of the property and nascent stage of investigation, this Court is not inclined to release the petitioners on bail.

6.Accordingly, these Criminal Original Petitions stand dismissed.

sd/-

10/10/2022

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/10/2022

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

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

2 THE INSPECTOR OF POLICE
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to Mr.M.MAHARAJA, Advocate SR.No.11147.

ORDER

IN

CRL OP(MD) Nos.17667 & 17733 of 2022

Date :10/10/2022

PNM

MK/GB/SAR.II/12.10.2022/2P/5C