



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12402 of 2023

Palani Murugan

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Kabistharam Police Station,
Thanjavur District.
(Crime.No.316/2023).

... Respondent/Complainant

For Petitioner : M/s.DHILIPAN PANDIAN R L, Advocate

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime no.316 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested on 14.06.2023 for the alleged offence under Section 379 IPC and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.316 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused had illegally transported $\frac{1}{4}$ unit of river sand without any valid permit in the bullock cart. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he is not having any previous case at his credit. The petitioner is in custody from 14.06.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having one previous case at his credit and the same was disposed. The investigation in this case is not yet completed. Hence, prays to dismiss the petition.



5. Considering the facts and circumstances of the case, though the petitioner is having previous case at his credit, the same was disposed and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

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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) each with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Papanasam, Thanjavur District**, and on further condition the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future and the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

07/07/2023

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07/07/2023

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE COURT,
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, PAPANASAM, THANJAVUR DISTRICT.
- 4 THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.DHILIPAN PANDIAN R L Advocate SR.No.10387 (I)
Dt.07/07/2023.

ORDER IN

CRL OP(MD) No.12402 of 2023
Date :07/07/2023

SA/SAR. /07.07.2023/2P/7C

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