



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2023

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12286 of 2023

R.Suresh

... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
In Crime No.156 of 2023.

... Respondent/Complainant

For Petitioner : Mr.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.156 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole Accused, who was arrested on 17.06.2023 for the alleged offence under Sections 379 of IPC r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.156 of 2023 on the file of the respondent police, seeks bail.

2.The prosecution case is that the petitioner has illegally transported 1/4 unit of river sand by using a Bullock cart. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 17.06.2023.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that there are two previous cases pending against the petitioner, which are similar in nature.



5. Considering the facts and circumstances of this and considering the duration of custody, this Court is inclined to grant bail to the petitioner with certain 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, Thiruvaiyaru, Thanjavur District, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

7. The petitioner shall file an undertaking affidavit before the concerned Police Station stating that he will not indulge in any such sort of illegal activities in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-

06/07/2023

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06/07/2023

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

Indu

TO

1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-10322[I] dated
06/07/2023)

ORDER IN

CRL OP(MD) No.12286 of 2023

Date :06/07/2023

RS/SSS/SAR-(06.07.2023) 2P 7C

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