



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.12284 of 2023

Balasubramaniyan

... Petitioner/Accused No.3

Vs

State through
The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
In Crime No.200 of 2023.

... Respondent/Complainant

For Petitioner : Mr.B.Anandan, 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.200 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole Accused, who was arrested on 24.06.2023 for the alleged offence under Sections 379 of IPC r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.200 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 carts. 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 24.06.2023. The co-accused has been released on bail.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that there is no previous case is pending against the petitioner.



5. Considering the facts and circumstances of this and considering the duration of custody and no previous case is pending against the petitioner, 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 District Munsif cum Judicial Magistrate, Peravurani, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

06/07/2023

/ TRUE COPY /

06/07/2023

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

Indu

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAVURANI.

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

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

4 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.

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

+1. CC to M/S.ANANDAN.B Advocate SR.No.32943[F] DATED 06.07.2023

ORDER

IN

CRL OP(MD) No.12284 of 2023

Date :06/07/2023

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