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CRL OP(MD). No.13511 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13511 of 2023

Murugan

... Petitioner/ Accused Rank No.2

Vs

State through
The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
Crime No.63 of 2023.

... Respondent/Complainant

For Petitioner : Mr.K.Saravanan, 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.63 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused, who was arrested on 07.07.2023 for the alleged offence under Sections 379 of IPC r/w Section 21(4) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.63 of 2023 on the file of the respondent Police, seeks bail.

2.The prosecution case is that the petitioner and others have theft the savadu sand from the agricultural land, which belongs to one Selvi, through JCB vehicle.

Hence, the complaint.

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



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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 07.07.2023. The petitioner is neither driver nor owner of the said JCB vehicle.

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

5.Considering the facts and circumstances of this case 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 Judicial Magistrate, Ilaiyangudi, Sivagangai District, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-

25/07/2023

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25/07/2023

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



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TO

1 THE JUDICIAL MAGISTRATE, ILAIYANGUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, SALAIGRAMAM POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI.

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

+1 CC to M/s.K.SARAVANAN, Advocate (SR-11240[I] dated 25/07/2023)

ORDER
IN
CRL OP(MD) No.13511 of 2023
Date :25/07/2023

RS//SAR-(25.07.2023) 3P 7C
Madurai Bench of Madras High Court is issuing
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