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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14567 of 2023

C.Thalithraj

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District,
Crime No.553/2023.

... 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.553 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 herein, who was arrested on 30.07.2023 for the

alleged offence under Section 379 of IPC and Section 21(1) of Mines and Minerals



(Development and Regulation) Act, 1957, in Crime No.553 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on on 30.07.2023, the petitioner committed theft of 1 ½ unit of river sand in a tipper lorry and the offending vehicle along with sand have also been seized. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner also filed an undertaking that he will not commit any similar offence in future. Hence, prays for bail.

4.The learned Additional Public Prosecutor submitted that the petitioner is having previous case at his credit.

5.Considering the facts and circumstances of the case, the affidavit filed by the petitioner that he will not indulge in any offence in future and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent 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) with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District, on further condition that **the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future** and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

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/08/2023

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

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TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT



4

4 THE INSPECTOR OF POLICE
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT

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

ORDER
IN
CRL OP(MD) No.14567 of 2023
Date :09/08/2023

SS/09/08/2023/3P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023