



CRL OP(MD). No.14974 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Karthi,
2. Saravanan,
3. Sudhagar

... Petitioners No.1 to 3/ Accused No.2 to 4

Vs

State Rep.by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
Crime No.396 of 2023.

... Respondent/ Complainant

For Petitioners : M/s.Vishnu V, 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.396 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2 to 4 herein, who were arrested on 27.07.2023 for the alleged offence under Sections 379 of IPC and Section 21(1) of Mines and Minerals



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(Development & Regulation) Act, 1957, in Crime No.396 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with other persons had illegally transported 4-1/2 units of river sand. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are in custody from 27.07.2023. Hence, prays for bail.

4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioners along with other accused persons had illegally transported 4-1/2 units of river sand. He further submitted that no previous case is pending against these petitioners.

5. Considering the facts and circumstances of the case, the petitioners are not having any previous cases and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are 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



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satisfaction of the learned Judicial Magistrate No.2, Kulithalai, Karur, and on further conditions that

(i) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

(ii) the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) jointly, to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaignar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

(iii) the petitioners shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) jointly, to the credit of Cr.No.396 of 2023 before the trial Court.

sd/-

17/08/2023

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17/08/2023

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

TTA



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TO

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- 1 THE JUDICIAL MAGISTRATE NO.2, KULITHALAI, KARUR.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE, KULITHALAI POLICE STATION,
KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE PRINCIPAL SESSIONS JUDGE, KARUR.
- 3 THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER INCHARGE, KALAINAR CENTENARY LIBRARY,
MADURAI.

ORDER
IN

CRL OP(MD) No.14974 of 2023

Date :17/08/2023

RS//SAR-(17.08.2023) 4P 10C

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