



CRL OP(MD). No.14993 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14993 of 2023

J.Subash,

... Petitioner/ Accused No.1

Vs

State Rep.by
The Inspector of Police,
Ayyampattai Police Station,
Thanjavur District.
Crime No.275/2023.

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

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 herein, who were arrested on 08.08.2023 for the
alleged offence under Sections 379 of IPC and Section 21(4) of Mines and Minerals



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Act, in Crime No.275 of 2023 on the file of the respondent police, seeks bail.

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

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. The petitioner is also ready to file an undertaking that he will not commit any similar offence in future. He further submitted that the petitioner is in custody from 08.08.2023. Hence, prays for bail.

4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused persons had illegally transported 1/4 unit of river sand. He further submitted that five previous cases are pending against this petitioner.

5. Considering the facts and circumstances of the case, the readiness of the petitioner to file an affidavit 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.

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



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the satisfaction of the learned Judicial Magistrate Court No.III, Thanjavur,
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Thanjavur District, and on further conditions that

(i) the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future.

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

(iii) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only), 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 Kalaingar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

(vi) the petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only), to the credit of Cr.No.275 of 2023 before the trial Court.

sd/-

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



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TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR, THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE OFFICER INCHARGE
DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.
- 4 THE INSPECTOR OF POLICE
AYYAMPATTAI POLICE STATION,
THANJAVUR 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 SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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3 THE OFFICER INCHARGE
KALAINAR CENTENARY LIBRARY,
MADURAI.

ORDER
IN
CRL OP(MD) No.14993 of 2023
Date :17/08/2023

PKP//SAR- /17.08.2023/ 5P/ 9C

Madurai Bench of Madras High Court is issuing certified
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