



CRL OP(MD). No.14999 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.14999 of 2023

P.Marimuthu

... Petitioner/ Accused Rank No.2

Vs

State Rep.by
The Inspector of Police,
Thiruppananthal Police Station,
Thanjavur District.
Crime No. 128/2022.

... 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. 128 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 herein, who were arrested on 07.08.2023 for the alleged offence under Sections 379 of IPC and Section 21(1) of Mines and Minerals Act, in Crime No.128 of 2022 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 5 bags 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. He further submitted that the petitioner is in custody from 07.08.2023. Hence, prays for bail.

4. The learned Additional Public Prosecutor (CrI.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 no previous case is pending against this petitioner.

5 .Considering the facts and circumstances of the case, the petitioner is not having any previous cases 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 the satisfaction of the learned District Munsif Cum Judicial Magistrate Court, Thiruvudaimaruthur, Thanjavur District and on further conditions that



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

(ii) 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.

(iii) the petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only), to the credit of Cr.No.128 of 2022 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
TO

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

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



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

4 THE INSPECTOR OF POLICE, THIRUPPANANTHAL 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 PRINCIPAL SESSIONS JUDGE, THANJAVUR.

3 THE OFFICER INCHARGE, KALAIAGNAR CENTENARY LIBRARY, MADURAI.

4 THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14999 of 2023
Date :17/08/2023

RS//SAR-(17.08.2023) 4P 10C
Madurai Bench of Madras High Court is issuing
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