



CRL OP(MD). No.16126 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16126 of 2023

Balakishnan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kalakadu Police Station,
Tirunelveli District.
(In Crime No.351 of 2023).

... Respondent/Complainant

For Petitioner : M/s.SUSI KUMAR.C,
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.351 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 22.08.2023 for the alleged offence under Sections 379 of IPC in Crime No.351 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 22.08.2023 the petitioner trying to transport one unit of vandal sand illegally. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an



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innocent person and he has not committed any offence as alleged by the prosecution.

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However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.5,000/- (Rupees Five Thousand only).

4. The learned Additional Public Prosecutor for the respondent police submitted that the petitioner has transported vandal sand illegally. He further submitted that there is no previous case pending against the petitioner herein.

5. Considering the nature of the mineral involved, the antecedents of the petitioner and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that 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 Kalaigarn Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, 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



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Magistrate, Nanguneri, and on further condition that the petitioner shall report

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before the respondent police daily at 10.30 a.m. until further orders.

sd/-
05/09/2023

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05/09/2023

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

TM
TO
1 THE JUDICIAL MAGISTRATE,
NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
KALAKADU POLICE STATION,
TIRUNELVELI DISTRICT.

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

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MADURAI BENCH OF MADRAS HIGH COURT,
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ORDER
IN
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Date :05/09/2023

SA/SAR. /05.09.2023/4P/8C

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