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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16461 of 2023

Thangamuthu

... Petitioner/2nd Accused

Vs

State through
The Inspector of Police,
Thiruppanandhal Police Station,
Thanjavur District.
In Crime No.02 of 2022.

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran.
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.02 of 2022 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/2nd Accused, who was arrested on 21.08.2023 for the alleged offence under Sections 379 of IPC r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.02 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 04.01.2022, on receipt of information, the respondent Police conducted a raid at Mariyammankovil, Olugacheri. At that time, the respondent Police intercepted, checked the vehicle and also they found that the petitioner has transported five bags of river sand in his two wheeler. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 22.08.2023.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of this case, no previous case is pending against the petitioner and considering the duration of custody, this Court is

<https://www.courtindia.gov.in/judges> inclined to grant bail to the petitioner with certain 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 Judicial Magistrate, Thiruvudaimaruthur, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-

12/09/2023

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12/09/2023

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THIRUPPANANDAL POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.



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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-13514[I] dated 12/09/2023)

ORDER
IN
CRL OP(MD) No.16461 of 2023
Date :12/09/2023

SS/12/09/2023/4P/7C

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