



CRL OP(MD). No.17159 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Govindarajan

2. Shanmugam

... Petitioners / Accused Nos. 1 and 2

Vs

The State rep by
The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.314 of 2023).

... Respondent / Complainant

For Petitioners : M/s.Karunakaran.K.M., 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.314 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused herein, who was arrested on 09.09.2023 for the alleged
offence under Sections 379 of IPC r/w 21(4) of Mines and Minerals (Development



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and Regulations) Act, 1957 in Crime No.314 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 09.09.2023, when the respondent police were conducting checkup near Mathur busstand, they found a bullock cart loaded with 1/4 unit of river sand without valid permit. The accused persons were arrested and remanded to judicial custody and the case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. However, to show their bona fide, the petitioners have come forward to deposit a sum of Rs.3,750/- (Rupees Three Thousand Seven Hundred and Fifty only).

4. The learned Additional Public Prosecutor would submit that the petitioners are having three previous cases.

5. Considering the facts and circumstances of this case, period of incarceration, considering the nature of the mineral involved, and his willingness to pay a sum of Rs.3,750/- (Rupees Three Thousand Seven Hundred and Fifty only), this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs. 3,750/- (Rupees Three Thousand Seven



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Hundred and Fifty only) to the credit of Crime No.314 of 2023 before the learned

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Judicial Magistrate No.3, Thanjavur.

7. On such deposit, the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.3, Thanjavur, and the petitioners shall file an undertaking affidavit before the trial Court that he will not indulge in any kind of offence in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/09/2023

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22/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The Judicial Magistrate No.III, Thanjavur.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.

<https://www.mhc.jn.gov.in/judis>



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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-14085[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.17159 of 2023
Date :22/09/2023

ED/ /SAR- (22/09/2023) 4P / 7C

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