



CRL OP(MD). No.17161 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
CRL OP(MD). No.17161 of 2023

Amirthalingam

... Petitioner / Accused Rank not known

Vs

The State rep by
The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.
(Crime No.724 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Maheswaran R, 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.724 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused herein, who was arrested on 12.09.2023 for the alleged offence under Sections 379 of IPC and Section 21(4) of Mines and Minerals (Development and Regulations) Act, 1957 in Crime No.724 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.09.2023, when the defacto



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complainant, VAO of Malaiyappa Nallur Revenue Village, has given a complaint that when he was conducting checkup near Arasalaaru the accused persons were trying to transport on unit of river sand in a Tractor. Hence a complaint was lodged and a case was registered.

3. The learned counsel for the petitioners submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. However, to show his bona fide, the petitioner has come forward to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only).

4. The learned Additional Public Prosecutor would submit that the petitioner has illegally transported one unit of river sand. Co-accused in this case has been granted anticipatory bail.

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.15,000/- (Rupees Fifteen Thousand only), this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that,

(i) 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



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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.

ii) further, the petitioner shall deposit a sum of Rs. 10,000/- (Rupees Ten Thousand only) to the credit of Crime No.724 of 2023 before the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

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.II, Kumbakonam, Thanjavur District, and the petitioner 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

/ TRUE COPY /

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

PNN



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To

1.The Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

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

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

4.The Officer Incharge, Sub Jail, Kumbakonam.

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 Officer Incharge,
Kalaighar Centenary Library, Madurai.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-14068[I] dated 22/09/2023)

ORDER

IN

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Date :22/09/2023

ED/ /SAR- (22/09/2023) 4P / 9C

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