



CRL OP(MD). No.19927 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19927 of 2023

1.Saravanakumar

2.Eswaran

3.Satheeskumar

... petitioners/ Accused Nos.3 to 5

Vs

The State

rep. by The Inspector of Police,

Alangulam Police Station

Virudhunagar District.

Crime No.135 /2023..

... Respondent/Complainant

For petitioners : Mr.S.M.Ananthamurugan
Advocate.

For Respondent : Mr.R.Sureshkumar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.135/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested on 29.10.2023 for the alleged offence under Sections 379 IPC r/w. 4(1)(1A) and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.135 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on receiving secret information, the respondent police conducted a vehicle check up and at that time, the petitioners herein were illegally quarrying 2 unit of river sand by using Tipper Lorry without any valid permission. Hence a complaint was lodged and a case was registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been have been falsely implicated in this case. However, to show their bona fide, the petitioners have come forward to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only).

4. The learned Additional Public Prosecutor would submit that the petitioners have illegally transported 2nd units of river sand by using Tipper Lorry and they are not having any previous case.

5. Considering the facts and circumstances of this case, period of incarceration, considering the nature of the mineral involved, and their willingness to pay a sum of Rs.30,000/- (Rupees Thirty Thousand only), this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that,
(i) the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty 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 Kalaigarnar Centenary Library, Madurai, without prejudice to their rights and contentions before the trial Court.

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



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two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sathur, Virudhunagar District, and the petitioners shall file an undertaking affidavit before the trial Court that they will not indulge in any kind of offence in future and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
07/11/2023

/ TRUE COPY /

07 /11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SATHUR, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3.THE OFFICER IN CHARGE,
SUB JAIL, SRIVILLIPUTHUR.
- 4.THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-16014[I] dated
07/11/2023)

ORDER
IN
CRL OP(MD) No.19927 of 2023
Date :07/11/2023

RK (07/11/2023) 4P / 9C

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