



CrI.O.P.No.968 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.968 of 2024

Ramesh S/o. Rajendren

...Petitioner/A2

Vs.

State represented by
The Inspector of Police,
Nangavalli Police Station,
Salem District.
(Crime No.278 of 2023)

...Respondent / Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.278 of 2023 on the
file of the respondent police.

For Petitioner : Mr.C.Deepakumar

For Respondent : Mr.L. Baskaran
Govt. Advocate (CrI. Side)



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ORDER

The petitioner/A2, who was arrested and remanded to judicial custody 27.12.2023 for the offences punishable under Section 379, 511 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.278 of 2023, seeks bail.

2.It is stated that the petitioner is a driver of the JCB vehicle bearing Reg. No. TN-93-F-4434 and the 1st accused is the owner of the said vehicle. They have attempted to illegal transportation of sand and even before that, they were intercepted by the respondent and the case had been registered against them.

3.Taking all the factors into consideration and the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 No.I, Mettur, and on further conditions that:

[a] the sureties shall affix their photographs and Left



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Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

24.01.2024

smv

C.V.KARTHIKEYAN. J.



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smv

To

1. The Judicial Magistrate No.I, Mettur.
2. The Central Prison, Salem.
3. The Inspector of Police,
Nangavalli Police Station,
Salem District.
4. The Public Prosecutor,
High Court of Madras.

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