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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.No.14392 of 2024

Senthilkumar

... Petitioner

Vs.

State Rep by.  
The Inspector of Police  
Kandili Police Station,  
Kandili, Tirupathur District.  
Crime No. 353 of 2024

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner on bail pending investigation in crime No.  
353 of 2024 on the file of the Inspector of Police, Kandili Police Station,  
Kandili, Tirupathur District.

For Petitioner : Mr.G.Vinodhkumar  
For Respondent : Mr.V.Meganathan, B.A., B.L.,  
Government Advocate (Crl. Side)



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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 09.06.2024 for the alleged offences punishable under Sections Section 379, 430 IPC, r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act 1957 in **crime No. 353 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused person with illegal transportation of two unit sand without any permit. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that the petitioner transported two half unit of sand without any valid permit .

4. Considering the period of incarceration undergone by the petitioner and also the investigation is almost completed. Hence, this Court is



inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties ( one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, No.II, Tirupathur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left 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 on every Sunday at 10.30 a.m., for a period of two months. Further, the petitioner is directed to deposit a sum of **Rs.10,000/- (Ten Thousand Only)** to the credit of **Registered Advocate Clerk Welfare Association, Krishnagiri District** within a period of two weeks from the date of receipt of a copy of this order ;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

**20.06.2024**

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**T.V.THAMILSELVI,J.**

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To

1. The **Judicial Magistrate No.II, Tirupathur.**

2. The Inspector of Police  
Kandili Police Station,  
Kandili, Tirupathur District.

3. The Central Prison, Vellore.

4. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.14392 of 2024**

**20.06.2024**