



CRL OP(MD). No.468 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1. A.Iyyankannu,

2. Ulaganathan,

3. Madhu Chockalingam,

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District,
Crime No.519/2023.

... Respondent/Complainant

For Petitioners : Mr.P.P.Alwin Balan,Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.519/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 to 3, who were arrested and remanded to

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



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judicial custody on 29.12.2023 for the alleged offence punishable under Section 379 of I.P.C, in Crime No.519 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners had illegally transported one ton of lime stone. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody since 29.12.2023. However, on instructions, he would further submit that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.10,000/- to the High Court Environmental Committee and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police strongly opposed to grant bail stating that the petitioners had transported one ton of lime stone illegally.

5. Considering the facts and circumstances of the case and also considering the fact that no antecedent is reported against the petitioners, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their 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,



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Ambasamudram, 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 petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Environmental Committee Operated by Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)], without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the trial Court while executing the sureties;

(c) the petitioners are directed to appear before the respondent police as and when required for interrogation.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/01/2024

/ TRUE COPY /

11/01/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI ISTRICIT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO

- 1 THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 3 THE SECTION OFFICER,
CRIMINAL SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+3 CC to M/s.P.P.ALWIN BALAN, Advocate (SR-550[I] dated 11/01/2024)

ORDER
IN
CRL OP(MD) No.468 of 2024
Date :11/01/2024

PKP/SAR- /11.01.2024/ 5P/12C

Madurai Bench of Madras High Court is issuing certified
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