



CRL OP(MD). No.4253 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 18/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4253 of 2024

Sathiyaraj

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Thogur Police Station,  
Thanjavur District.  
Crime No.87/2024..

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian,  
Advocate.

For Respondent : Mr.S.Manikandan,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.87/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 06.03.2024 for the offences punishable under Sections 379 IPC r/w 21(1) of

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



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Mines and Minerals (Development and Regulation Act), in Crime No.87 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had illegally transported 1/2 unit of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any allegations as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.10,000/- to the Government Girls Higher Secondary School, Veeramangudi, Papanasam Taluk, Thanjavur District, for the welfare of the students studying in the School. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail



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to the petitioner with certain conditions.

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6. Accordingly, this Criminal Original Petition is ordered and 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, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, and on further conditions that:

(a) as per the undertaking given by the petitioner, the petitioner shall make a demand draft for a sum of Rs.10,000/- (Rupees Ten Thousand only) in favour of the Headmaster / Headmistress, Government Girls Higher Secondary School, Veeramangudi, Papanasam Taluk, Thanjavur District, without prejudice to his rights and contentions before the trial Court and the petitioner is directed to produce the receipt/acknowledgment before the trial Court while executing the sureties;

(b) 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;



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(c) the petitioner is directed to appear before the respondent police for a period of two weeks at 10.30 A.M. and thereafter, as and when required for interrogation;

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

(e) the petitioner 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 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]; and;



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

sd/-  
18/03/2024

/ TRUE COPY /

18/03/2024  
Sub-Assistant Registrar (CS -II )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJORE DISTRICT @ KUMBAKONAM
3. THE OFFICER IN CHARGE, SUB JAIL, THANJAVUR.
4. THE INSPECTOR OF POLICE,  
THOGUR POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE HEADMASTER / HEADMISTRESS,  
GOVERNMENT GIRLS HIGHER SECONDARY SCHOOL,  
VEERAMANGUDI, PAPANASAM TALUK,  
THANJAVUR DISTRICT,



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ORDER

IN

CRL OP(MD) No.4253 of 2024

Date :18/03/2024

RK (18/03/2024) 6P / 7C

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