



CRL OP(MD). No.5060 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5060 of 2024

Manikandan,

... Petitioner/ Accused No.3

Vs

The State represented by
The Inspector of Police,
Thiruvonam Police Station,
Thiruvonam,
Thanjavur District.
Crime No.76/2024.

... Respondent/Complainant

For Petitioner : M/s.Alagia Nambi.R,

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 76/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner who was arrested on 18.03.2024, for the offences punishable



CRL OP(MD). No.5060 of 2024

under Section 379 of IPC r/w 21(1) of Mines & Minerals (Development & Regulation) Act, in Crime No.76 of 2024, seeks bail.

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2.The case of the prosecution is that on 17.03.2024, the petitioner transported 6 unit of River sand. Hence the FIR came to be registered in Crime No.76 of 2024.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 18.03.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail to the petitioner as this case involves 6 unit of river sand and also the investigation in this case is under progress.

5. Considering the facts and circumstances of the case and the nature of offence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty



CRL OP(MD). No.5060 of 2024

Five Thousand) with two sureties each for a like sum to the satisfaction of the
Judicial Magistrate Court, Orathanadu.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address and also, the petitioner should file an affidavit before the respondent police and the concerned Judicial Magistrate at the time of furnishing the sureties that he will not indulge in any offence.

iii) The petitioner is directed to appear before the respondent police daily at 10.00 a.m until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-

04/04/2024

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04/04/2024

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

LR



CRL OP(MD). No.5060 of 2024

TO

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1 THE JUDICIAL MAGISTRATE,
ORATHANADU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THIRUVONAM POLICE STATION, THIRUVONAM,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.ALAGIA NAMBI, Advocate (SR-4182[I] dated 04/04/2024)

ORDER

IN

CRL OP(MD) No.5060 of 2024

Date :04/04/2024

SS/SAR- /04/04/2024/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023