



CRL OP(MD). No.5124 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5124 of 2024

Santhosh @ Santhosh Kumar

... Petitioner/ A1

Versus

The State through
The Inspector of Police,
Town East Police Station,
Thanjavur District.
(Cr.No.314 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.C.Senthil Murugan
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.314 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested on 19.03.2024 for the offence punishable



CRL OP(MD). No.5124 of 2024

under Section 379 IPC r/w. Section 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.314 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused has illegally transported one unit of river sand in a vehicle bearing Reg.No.TN49AD 1724.

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. He further submits that the petitioner is languishing in jail from 19.03.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner is having one previous case of IPC offence.

5. Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner and also considering the period of incarceration, 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



CRL OP(MD). No.5124 of 2024

WEB COPY

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur.

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;

iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of one week and thereafter shall appear as and when required by the respondent police. 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/-
02/04/2024

/ TRUE COPY /

02/04/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY



CRL OP(MD). No.5124 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION, 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.C.SENTHIL MURUGAN, Advocate (SR-4090[I] dated 02/04/2024)

ORDER
IN
CRL OP(MD) No.5124 of 2024
Date :02/04/2024

SS/SAR- /02/04/2024/4P/7C

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