



CRL OP(MD).No.5281 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.5281 of 2024

Gajendran

... Petitioner/ Accused No.3

Versus

The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.84 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.P.Krishnasamy, Advocate.

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.84 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.84 of 2024 for the offence under Section 379 IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and remanded him into judicial custody on 11.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2.The case of the prosecution is that the petitioner along with other accused has illegally transported 62 bags of river sand.

3.The learned counsel for the petitioner submits that the petitioner is an



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innocent person and he has not committed any offence as alleged by the prosecution.

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However, he is languishing in Jail from 11.03.2024.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner is having 13 previous cases, out of which, nine cases are similar in nature. He further submits that the petitioner has collected 62 bags of river sand and transported the same by using two-wheelers.

5.Considering the nature of offence, quantity of the mineral and also considering the antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed. The respondent Police is expected to seize the vehicles involved in the commission of offence and subject the vehicles for confiscation.

sd/-

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/04/2024

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

OGY
TO

1 THE INSPECTOR OF POLICE, THIRUAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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



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2 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

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

ORDER

IN

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Date :04/04/2024

RS/JGB/SAR-(10.04.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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