



CRL OP(MD). No.5675 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5675 of 2024

Viveganathan @ Vivegananthanm

... Petitioner/ Accused No.1

Vs

The Inspector of Police
Peravurani Police Station,
Thanjavur .
Crime No.64 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.Karuppasamy,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.64 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.64

of 2024 for the offence under Section 379 IPC and Section 21(1) of Mines and Minerals

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



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(Development & Regulation) Act, 1957 and remanded him into judicial custody on 30.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner has illegally transported $\frac{1}{4}$ unit of river sand in a bullock cart.

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 is languishing in Jail from 30.03.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case, quantity of the mineral, no previous case 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



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petitioner is ordered to be released on bail

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 District Munsif cum Judicial Magistrate, peravurani, Thanjavur District;

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 as and when required for interrogation. 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/-
15/04/2024

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15/04/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION,
THANJAVUR .
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.5675 of 2024

Date :15/04/2024

PKP/15.04.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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