



CRL OP(MD).No.6201 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.6201 of 2024

1. Rajasekaran,
2. Santhosh,
3. Mahendran

... Petitioners/ Accused Nos.1 to 3

Vs

The Sub Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Crime No. 225 of 2024.)

... Respondent/Complainant

For Petitioners : M/s.D.Saranya, Advocate.
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.225 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 06.04.2024 for the alleged offence under Sections 379 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.225 of 2024 on the file of the respondent police, seeks



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2.The petitioners are accused 1 to 3. The first petitioner is an owner of brick-klin, the second petitioner is a tractor driver and the third petitioner is a JCB driver. The petitioners are said to have taken soil beyond the permitted limit, for which a complaint has been lodged by the Village Administrative Officer on 06.04.2024. Based on the complaint, a case has been registered as against the petitioners in Crime No.225 of 2024 for the offence punishable under Sections 379 of IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act.

3.The learned counsel for the petitioner submits that petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submits that the petitioners have no previous cases pending against them.

5. Considering the facts and circumstances of the case and the considering the fact that the petitioners have no previous cases, this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail on the following conditions:-

i) The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the



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learned Judicial Magistrate No.II, Kumbakonam.

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ii) The petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter shall appear as and when required. They have to co-operate for the investigation.

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

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

sd/-
18/04/2024

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18/04/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.

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



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3 THE SUB INSPECTOR OF POLICE, KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, KUMBAKONAM.

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

ORDER
IN

CRL OP(MD) No.6201 of 2024

Date :18/04/2024

RS//SAR-(18.04.2024) 4P 6C

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