



CRL OP(MD). No.6569 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6569 of 2024

A.Vishwa,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No. 281 of 2024.

... Respondent/Complainant

For Petitioner : Mr.K.S.DURAIPANDIAN,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

PRAYER :- For Bail in Crime No. 281 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioner in Crime No.281 of 2024 for the offence under Section 379 IPC r/w. 21(4) of Mines and Minerals (Development & Regulations) Act 1957 and remanded him into judicial custody on 04.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioners have illegally transported 1/2 unit of river sand through Ashok Leyland Van.

3. The learned counsel for the petitioners 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 04.04.2024. Hence, he prays for grant of bail to the petitioner.

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

5. Considering the quantum of mineral, the period of incarceration and also considering the fact that the petitioner is not having any previous case, 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 is 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, Papanasam.

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;



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iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to them 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.

7. It is needless to say that any tool or instrument or vehicle used for illegal quarrying / transportation of sand is liable to be seized under Section 21(4) of the Mines and Minerals(Development & Regulation) Act, 1957 and any vehicle or instrument or tool which has been seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, is liable to be confiscated.

sd/-
29/04/2024

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29/04/2024
Sub-Assistant Registrar
(C.S. II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM.

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

3 THE OFFICER INCHARGE,
SUB-JAIL, PAPANASAM.

4 THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER IN

CRL OP(MD) No.6569 of 2024

Date :29/04/2024

SA/SAR. /29.04.2024/4P/6C

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