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CRL OP(MD). No.8136 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8136 of 2024

Vinoth,

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Ayyampettai Police Station,  
Thanjavur District,  
Crime No.409/2024.

... Respondent/Complainant

For Petitioner : Mr.A.ARUN PRASAD,  
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,  
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.409/2024 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.409 of 2024 for the offence under Section 379 I.P.C r/w. Section 21 (4) of Mines and Minerals Act, and remanded him into judicial custody on 23.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner was transported ¼ unit of

river sand without valid permission.

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



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3. The learned counsel for the petitioner submits that the petitioner is innocent and he is in no way connected in this case. However, the petitioner was arrested and he is languishing in jail on 23.05.2024 and he will pay a sum of Rs.15,000/- to a Government school in his district for the welfare of the students, to show his bonafide.

4. The learned Government Advocate (Crl.side) appearing for the respondent opposed this petition on the ground that the investigation is pending.

5. Considering the facts and circumstances of the 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 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 Judicial Magistrate No.III, Thanjavur.

ii) the petitioner shall make a non refundable deposit of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the Chief Education Officer, Thanjavur District, without prejudice to his contentions and rights before the trial Court and the same shall be utilized for drinking water purpose in the Government School in Thanjavur District and on such deposit being made, the learned Judicial Magistrate



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shall accept the sureties furnished by the petitioner.

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(iii) 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;

iv) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

v) 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.

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

sd/-  
12/06/2024

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13/06/2024  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

LS  
TO  
1 THE JUDICIAL MAGISTRATE NO.III  
THANJAVUR.

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



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3 THE OFFICER INCHARGE,  
SUB JAIL, THANJAVUR.

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

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

COPY TO:  
THE CHIEF EDUCATION OFFICER,  
THANJAVUR DISTRICT.

ORDER IN  
CRL OP(MD) No.8136 of 2024  
Date :12/06/2024

SA/SAR. /13.06.2024/4P/7C

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