



CRL OP(MD). No.8271 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8271 of 2024

1.Naveenkumar,

2.Ravichandran,

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
Crime No.235/2024.

... Respondent/ Complainant

For Petitioners : Mr.A.Sivasubramanian, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.235 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 25.05.2024, for the offence under
Section 379 IPC r/w Section 21(1) of Mines and Minerals (Development &



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Regulation) Act, 1957 in Crime No.235 of 2024, seek bail.

2. The case of the prosecution is that the petitioners have illegally transported four bags of river sand in a two wheeler bearing Registration No.TN 49 BA 1662.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in Jail from 25.05.2024.

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. He further submits that the first petitioner is having one previous case and the second petitioner is having three previous cases.

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 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru.

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;



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iii) The petitioners shall report before the respondent police daily at 10.30. a.m daily until further orders and also shall co-operate for 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. They 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.

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/-
06/06/2024

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06/06/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN



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TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.8271 of 2024
Date :06/06/2024

PKP/06.06.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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