



CRL OP(MD). No.8987 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 20/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Ponnusamy

2. Thiruppathi

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Navalpattu Police Station,
Trichy District.
(Crime No.84/2024).

... Respondent/Complainant

For Petitioners : Mr.M.Rajarajan, 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.84/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime



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No.84 of 2024 for the offence under Section 379 IPC r/w. 21(4) of Mines and Minerals (Development & Regulations) Act 1957 and remanded them into judicial custody on 08.06.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that the petitioners have illegally transported three units of gravel sand through a tipper lorry.

3. The learned counsel 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 08.06.2024. Hence, he prays for grant of bail to the petitioners.

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 minerals, the period of incarceration and also considering the fact that the petitioners are not having any previous case, 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



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i) on the petitioners executing 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 learned Judicial Magistrate No.III, Trichy District.

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 appear before the respondent police as and when required, for interrogation. 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. 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



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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/-
20/06/2024

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20/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Judicial Magistrate No.III,
Trichy District.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Navalpattu Police Station,
Trichy District'.

4.The Superintendent,
District Jail,
Central Jail,
Trichy.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-6736[I] dated 20/06/2024)



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ORDER

IN

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Date :20/06/2024

ED/ /SAR- (20/06/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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