



CRL OP(MD).No.9560 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9560 of 2024

1.K.Murugesan

2.Vignesh

... Petitioners/ Accused No.1 & 2

Versus

State rep. by
The Inspector of Police,
Lalgudi Police Station,
Trichy District.
(Crime No.299 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.S.M.Mohan Gandhi, 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.299 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The respondent police registered a case as against these petitioners in Crime No.299 of 2024 for the offence punishable under Section 379 IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, and remanded them into judicial custody on 23.06.2024. Therefore, the petitioners have filed this petition seeking bail.

2. The case of the prosecution is that the petitioners have illegally transported 4 unit of river sand by using the vehicle bearing Registration No. TN 48 R 6464.

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 23.06.2024.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioners are having two previous cases to their credit.

5. Considering the quantity of minerals 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



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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, Lalgudi, 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 daily at 10.30 a.m., until further orders. 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/-
28/06/2024

/ TRUE COPY /

28/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The Judicial Magistrate,
Lalgudi, Trichy District.

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

3.The Inspector of Police,
Lalgudi Police Station,
Trichy District.

4.The Officer Incharge,
Sub Jail,
Lalgudi.

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

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-7104[I] dated 28/06/2024)



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ORDER

IN

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Date :28/06/2024

ED/ /SAR- (28/06/2024) 5P / 7C

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