



CRL OP(MD). No.9976 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9976 of 2024

1. G.Loganathan

2. K.Mutharasu

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Keelathooval Police Station,
Ramnad District,
(Crime No.115/2024.)

... Respondent/Complainant

For petitioners : Mr.CN.Tamizharasan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.115/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 25.06.2024 for the offences punishable under Section 379 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, in crime No.115 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners were illegal transported one unit of Savadu sand.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 25.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

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 on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/-



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(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Mudhukulathur, Ramanathapuram District;

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation; each of the petitioners shall make a non refundable deposit of Rs.2,000/- (Rupees Two Thousand only) to the credit of Advocate Clerks Association Fund, Madurai Bench of Madras High Court, Madurai, without prejudice to their contentions and rights before the trial Court.

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
05/07/2024

/ TRUE COPY /

05/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

1.The Judicial Magistrate,
Mudhukulathur,
Ramanathapuram District.

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

3.The Inspector of Police,
Keelathooval Police Station,
Ramnad District.

4.The Officer Incharge,
Sub Jail,
Mudhukulathur.

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



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The Officer Incharge,
Advocate Clerks Association Fund,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :05/07/2024

ED/ /SAR- (05/07/2024) 5P / 7C

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