



CRL OP(MD)No.10216 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date :10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10216 of 2024

1.Santhakumar

2.Shanmugam

3.Sakthivel

4.Vijayakanth

... Petitioners/ Accused 2,3,5 & 6

Vs

The Inspector of Police,
Lalgudi Police Station,
Trichy District.
(Crime No.304 of 2024)

... Respondent/ Complainant

For Petitioners: Mr.S.Sathyachidambaram, 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.304 of 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

No.304 of 2024 for the offence under Section 379 IPC and Section 21(4) of the Mines



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and Minerals (Development & Regulation) Act, 1957 and remanded them into judicial custody on 25.06.2024. Therefore, the petitioners have filed this petition seeking bail.

2.The case of the prosecution is that the petitioners have illegally transported two units of river sand.

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 25.06.2024 and, in order to show their bonofide, they are ready and willing to deposit a sum of Rs.5,000/- each in favour of the "Chief Educational Officer, Trichy" for the welfare of the Government Schools.

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.

5.Considering the facts and circumstances of the case, the willingness of the petitioners and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail,

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



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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 report before the respondent Police daily at 10.30 a.m. until further orders. They have to co-operate for the investigation.

iv)as per the willingness of the petitioners, they shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each in favour of the “Chief Educational Officer, Trichy” for the welfare of the Government Schools.

v)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.

vi) 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 quarrying /



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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/-
10/07/2024

/ TRUE COPY /

10/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
TRICHY DISTRICT.

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

COPY TO:
THE CHIEF EDUCATIONAL OFFICER,
TRICHY

<https://www.hmc.th.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.10216 of 2024
Date :10/07/2024

SA/SAR. /10.07.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.