



CRL OP(MD). No.15320 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15320 of 2024

Kirubakaran @Krupakaran ... Petitioners/ A-2

Vs

The Inspector of Police,
Andipatty Police Station,
Theni District.
Crime No.357/2024. ... Respondent/ Complainant

For Petitioner : Mr.S.Vidhya Sagar,
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.357/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/A2, who is arrested and remanded to judicial custody on 26.08.2024 for the offences punishable under Sections 303(2) of BNS, r/w Section 21 (4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.357 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners and the other accused had illegally transported 1 1/2 of sand. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the quantity of minerals involved, I am inclined to grant bail to the petitioner on certain conditions.

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



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Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aundipatty.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] the petitioner is directed to deposit a sum of Rs.22,500/- (Rupees Twenty Two Thousand and Five Hundred only) each to the credit of Headmistress, Government Higher Secondary School, Maharajapuram, Watrap Taluk, Virudhunagar District. (Account No.30596803302, CIF No; 85390730313, IFSC Code: SBIN0000921, State Bank of India, Srivilliputhur Branch, Virudhunagar), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the petitioner shall be enlarged on bail;

[iii] The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of one week and thereafter, as and when required for interrogation;

[iv] the petitioner shall not tamper with evidence or witness;

[v] the petitioner shall not abscond during trial.



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[vi] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/09/2024

/ TRUE COPY /

11/09/2024
Sub-Assistant Registrar (Liasoning)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr
TO

1. The learned Judicial Magistrate, Aundipatty.
- 2.The Chief learned Judicial Magistrate, Aundipatty, Theni
2. The Superintendent, District Jail, Madurai.
3. The Inspector of Police,
Andipatty Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

<https://www.mhc.tn.gov.in/judis>



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Copy to

The Headmistress, Government Higher Secondary School, Maharajapuram, Watrap
Taluk, Virudhunagar District.

+1 CC to M/s.S.VIDHYASAGAR, Advocate (SR-11202[I] dated 11/09/2024)

ORDER

IN

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Date : 11.09.2024

KB -(11.09.2024) 5P/ 7C

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