

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Principal Sessions Judge, Dindigul.**

Friday, the 13th day of August 2021

**CrI.M.P. No.2506/2021
CNR No.TNDG01-003757-2021**

Santhanathevan @ Santhanam, 34/2021
S/o. Soundharraj .. Petitioner/A1

/vs/

State through
Inspector of Police, Reddiarchatram PS. .. Respondent/Complainant
Cr. No.557/2021

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.B.R.Manikandan, Advocate for the petitioner and of Thiru. R.Manoharan, Public Prosecutor for the state on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed U/s.439 of Cr.P.C., The petitioner/A1 prays to enlarge him on bail for the offences punishable U/S.379 IPC and Sec.21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Cr.No.557/2021 of respondent police. The occurrence took place on 09.08.2021 and the petitioner was remanded on the same day.

The learned counsel for the petitioner/A1 stated that the petitioner is the owner of the vehicle, that this petitioner has been falsely implicated in this case for statistical purpose, that since the case was fabricated one, the place of occurrence was not mentioned in FIR, that the alleged case properties have been recovered, that there is no previous case, that the petitioner is the sole bread winner of his family, that the petitioner is ready to abide any condition imposed by this Hon'ble Court, that the petitioner is having permanent abode, hence there is no chance for absconding and the petitioner was remanded on 09.8.2021 and he is in judicial custody for 4 days and he prays for bail.

The learned Public Prosecutor for the State vehemently raised objection for bail by stating that on 09.08.2021 while the Sub-Inspector of Reddiarchatram P.S. along with police party were on patrol, they found that the accused illegally transported 3 ½ units of gravel in a Tipper lorry bearing Regn.No.TN 19 F 8283, the police party surrounded the vehicle and caught hold A1 and seized the vehicle with gravel. However, he has conceded that no previous case is pending against the accused and the case properties have been recovered.

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Online submission of either side heard. Records perused. The case was registered against the accused U/S.379 IPC and Sec.21(1) of Mines and Minerals (Development & Regulation) Act, 1957. Considering the facts that the properties have been recovered and no previous case is pending as against the petitioner/A1 as stated by the learned Public Prosecutor and on considering the period of incarceration and upon considering the facts and circumstances of the case, this Court inclines to grant bail to the petitioner/A1 with condition. Bail is granted to the petitioner/A1 on strict compliance of the following conditions.

1. The petitioner/A1 is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non-refundable amount, without prejudice of his rights, to the account of "Dean, Dindigul Medical College Head Quarters Hospital, Dindigul - 624 001 - **Account No.5616101004223 / IFSC Code No.CNRB0005616 (Canara Bank, Salai Road, Dindigul Branch) on or before 23.8.2021** for Corona Relief Activities. The Hospital Authorities are instructed to utilize the said amount to improve infrastructure facilities of the hospital.
2. After making payment and production of receipt the petitioner/A1 is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Oddanchatram.
3. The petitioner/A1 is directed to appear and sign before the respondent police station daily at 10.00 a.m. until further orders.
4. The petitioner/A1 shall make himself available for interrogation by the police officer as and when required.
5. The petitioner/A1 shall not tamper with evidence or witness either during investigation or trial.
6. The petitioner/A1 shall not abscond either during investigation or trial.

Pronounced by me, this the 13th day of August 2021.

**Principal Sessions Judge,
Dindigul**

- Since this order is electronically generated, and issued with digital Signature.
- This order is available in E-Courts Official Web Site,
"<https://districts.ecourts.gov.in/case status/case number>"

Copy to

The Judicial Magistrate, Oddanchatram

The Public Prosecutor, Dindigul.

The Inspector of Police, Reddiarchatram PS.,

To ensure social distancing, they are requested to download the order from the official web site link.

Thiru.B.R.Manikandan, Advocate
for the petitioners.