



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Sixteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2689 of 2015

MAYA @ MAYALAGAN

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CHATHIRAKUDI POLICE STATION,
RAMNAD DISTRICT.
CRIME NO.12/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.G. VISHNURAM Advocate

For Respondent : Mr.P.KANNIDEVAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.02.2015 for the offence punishable under Sections 379, 430 I.P.C. and Section 21(1) Mines and Minerals Development Regulation Act r/w Section 3 of PPDL Act in Crime No.12 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondent.

3. The case of the prosecution is that the petitioner is involved in theft of two units of sand and was arrested on 05.02.2015.

4. The learned Government Advocate (Crl.Side) on instructions, submitted that there are five previous cases as against the petitioner, out of which, four previous cases are of the year 2006 and one case is of the year 2013 and the sand has been recovered.

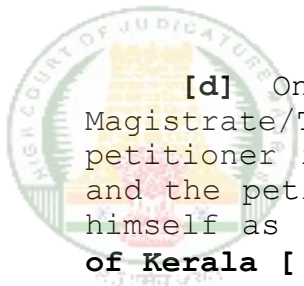
5. Considering the facts and circumstances of the case and considering the fact that the petitioner is in jail from 05.02.2015 and the sand has been recovered, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Paramakudi, Ramnad District and on further condition that:

[a] the petitioner 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.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.



[d] On breach of any of the aforesaid conditions, the learned 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]**.

[e] The Inspector of police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.side) whether the petitioner is complying with the order or not.

sd/-
16/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMNAD DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, RAMNAD.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, CHATHIRAKUDI POLICE STATION, RAMNAD DISTRICT.

5 THE OFFICER INCHARGE, DISTRICT PRISON, RAMNAD.

+1. CC to M/S.G. VISHNURAM Advocate SR.No.6959

ORDER IN

CRL OP(MD) No.2689 of 2015

Date :16/02/2015

PBK 16/02/2015 ::2P-7C: