



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Seventh day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.3568 of 2015

WEB COPY

ALBERT

... PETITIONER/ACCUSED No.2

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DT,
CRIME NO.119/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.DILIP KUMAR Advocate
For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. 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 15.02.2015 for the offence punishable under Sections 4 and 5 of the Indian Explosives Substance Act of 1908 and Section 21(1) of the Mines and Minerals (Regulation and Development) Act of 1957 in Crime No.119 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that from the godown of Subramaniam Blue metal and Crusher Company, the Village Administrative Officer found detonators and other explosive substance without valid license. The petitioner is a worker in the Company and was arrested on 15.02.2015. Since there is no previous case against the petitioner, this Court is inclined to grant bail to him, but with conditions.

3. 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, Eraniel, and on further condition that:

[a] the petitioner shall report before the respondent police everyday daily at 6.30 p.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 a compliance report to the office of the learned Government Advocate, as to whether these petitioner is complying with the condition or not.

sd/-
27/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, ERANIEL.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.
- 4 THE INSPECTOR OF POLICE
ERANIEL POLICE STATION, KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No.9428

ORDER
IN
CRL OP(MD) No.3568 of 2015
Date :27/02/2015

PA/27.02.15/2P/7C