



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

Tuesday, the Seventeenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4306 of 2015

SETHURAMAN

... PETITIONER/ ACCUSED No.4

Vs

THE STATE REP. BY INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT, MADURAI.
(CR. NO. 21 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : M/S.S.Shanmuga Velayutham State Public Prosecutor
Assistant by M/S.A.P.BALASUBRAMANI
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 01.02.2015 for the offences punishable under Sections 379, 447, 430, 434, 304(ii) I.P.C. and Section 3(1) TNPPDL Act, and 3(a), 4(a) of Explosive Substantial Act in Crime No.21 of 2015 on the file of the respondent police, seeks bail.

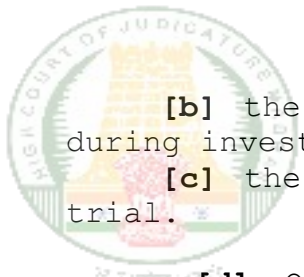
2. Heard the learned Counsel for the petitioner and the learned State Public Prosecutor. The respondent police have filed their counter affidavit.

3. It is seen that the petitioner was working as a quarry supervisor under Hakkim Sait-A.1, in whose name the quarry licence stands and who is alleged to have quarried into Government lands. The petitioner was arrested on 01.02.2015 and is in incarceration since then.

4. Considering the facts and circumstances of the case and also considering the fact that this petitioner is only an employee, this Court is inclined to grant bail to the petitioner.

5. 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 Judicial Magistrate No. I, Madurai and on further conditions that:

[a] the petitioner shall report before the respondent police daily at 10.30a.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 first petitioner is complying with the order or not.

sd/-
17/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.I, MADURAI.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI DISTRICT, MADURAI.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.S.SARAVANAKUMAR Advocate SR.No. 12659.

TS/17.03.2015/2P-7C

ORDER
IN
CRL OP(MD) No.4306 of 2015
Date :17/03/2015