



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

Monday, the Nineteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.646 of 2015

LUTHER KING

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
SAPTUR POLICE STATION, MADURAI DISTRICT.
(CRIME NO.225 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SOLAISAMY 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 16.12.2014 for the offences punishable under Sections 353, 307, 379 IPC read with Section 20(1)(v) of Mines and Minerals (R&D) Act in Crime No.225 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the date of incident is on 16.12.2014 and the petitioner was arrested on the same day. It is alleged that this petitioner was illegally taking sand and when the authorities questioned him, he threatened that he will murder them.

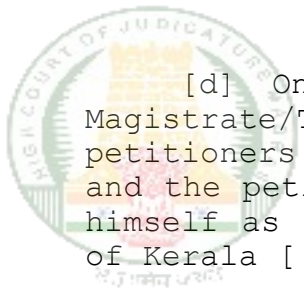
3. The learned Government Advocate (Crl. Side) submitted that there are two previous cases against this petitioner. It is seen that those cases are of the year 2012 and the petitioner is in incarceration from 16.12.2014 and no one has been injured, I am inclined to grant bail to the petitioner, but with conditions.

4. 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 District Munsif cum Judicial Magistrate, Peraiyur, and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

<https://hcservices.courts.gov.in/hcservices/> 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 petitioners 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].

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19/01/2015

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

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGIGISTRATE, PERAIYUR.

2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, MADURAI.

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

4.THE SUPERINTENDENT CENTRAL PRISON, MADURAI.

5.THE SUB INSPECTOR OF POLICE
SAPTUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.2138

ORDER
IN
CRL OP(MD) No.646 of 2015
Date :19/01/2015

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