



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11619 of 2016

SINGAKUTTI

... PETITIONER / ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI
DISTRICT. CRIME NO.187/2016) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.J.KARTHICK Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused, who was arrested and remanded to judicial custody on 20.06.2016 for the alleged offences punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals Damages and Loss Act and Section 3 of TNPPDL Act, in Crime No.187 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 20.06.2016 when the police party conducted vehicle check up, they intercepted a Two wheeler having sand and arrested the accused. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned counsel for the petitioner submitted that the petitioner is willing to deposit a sum of Rs.5,000/- to the credit of this case before the Trial Court.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted investigation is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 20.06.2016 and also considering the submissions made on the side of the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Srivaikundam.
- (ii) the petitioner shall deposit a sum of Rs.5,000/- (Rupees five thousand only) to the credit of Crime No.187 of 2016 before the learned Judicial Magistrate, Srivaikundam.
- (ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled



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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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl side), as to whether the petitioner is complying with the condition or not.

sd/-
19/07/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE
SRIVAIKUNDAM
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT
 - 3 THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
 - 4 THE OFFICER IN-CHARGE
SUB JAIL, SRIVAIKUNDAM
 - 5 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S R.J.KARTHICK Advocate SR.No.37521
- JAM/19.07.2016/SK-SKN/SARIII/ 3P-7C