



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

Friday, the Fourteenth day of October Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19885 of 2016

SIVA @ SIVALINGAM

... PETITIONER/16th ACCUSED

Vs

THE STATE REP.BY ITS THE SUB INSPECTOR OF POLICE,
SRIVAICKUNDAM POLICE STATION, TUTICORIN DISTRICT.
CRIME NO.141 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.DURAI RAJ Advocate

For Respondent : M/S.A.P.BALASUBRAMANI 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 No.16, who was arrested and remanded to judicial custody on 30.08.2016 for the alleged offences punishable under Sections 379 IPC r/w 21(1) of Mines and Minerals Act and Section 3 of TNPPDL Act, in Crime No.141 of 2016, on the file of the respondent police and hence, seeks bail.

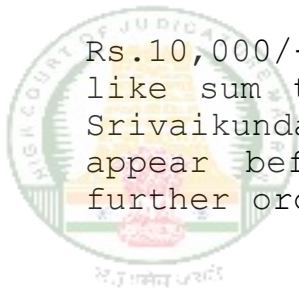
2.The case of the prosecution is that the petitioner was found in possession of river sand by using sacks.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he is languishing in jail from 30.08.2016.

4.The learned Government Advocate (Criminal Side) would submit that the petitioner has fifteen previous cases.

5.Considering the submission of the learned counsel for the petitioner and the learned Government Advocate (Criminal Side), this Court is inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is directed to be released on bail, on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees five Thousand only) to the credit of Crime No.141 of 2016 before the learned Judicial Magistrate, Srivaickundam within a period of two weeks and on receipt of the same the petitioner is directed to be released on bail, on 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, Srivaikundam and on further condition that the petitioner shall appear before the respondent Police daily at 10.00 a.m., until further orders.

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sd/-
14/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE SUB INSPECTOR OF POLICE, SRIVAIKUNDAM POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER IN CHARGE SUB JAIL, SRIVAIKUNDAM.

+1. CC to M/S.S.R.DURAI RAJ Advocate SR.No. 60732

PS-SSL

JA-SKS-RR-SAR.I/14.10.2016/2P:7C

ORDER
IN
CRL OP(MD) No.19885 of 2016
Date :14/10/2016