



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

Saturday, the Twenty Eighth day of April Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

CRL OP(MD) No.7389 of 2018

1 PANDI  
2 GANESAN

... PETITIONER / ACCUSED 1& 2

Vs

THE STATE, REP.BY  
THE INSPECTOR OF POLICE  
NILAKOTTAI POLICE STATION,  
DINDIGUL DISTRICT.  
CR.NO. 123 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.D.SELVARAJ Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,  
Government Advocate ( Crl. Side)

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

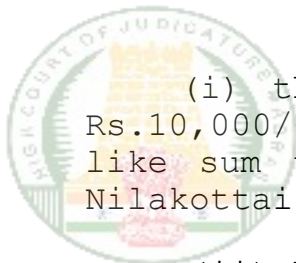
ORDER : The Court Made the following order :-

The petitioners are in custody since 12.04.2018 for the offences under Sections 379 I.P.C and r/w 21 (1) of Mines and Minerals (Development Regulation) Act, 1957 and 3(1) of TNPPDL Act, 1992 in Crime No.123 of 2018 on the file of the respondent Police. They seek bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl side) appearing for the respondent.

3.When the matter was taken up for hearing, the learned counsel appearing for the petitioners submits that the first petitioner has since been detained under the Act 14 of 1982. Therefore, this Criminal Original Petition is dismissed as far as the first petitioner is concerned.

4.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the second petitioner with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;



(i) the second petitioner shall execute 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, Nilakottai.

(ii) the second petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

28/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NILAKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE  
NILAKOTTAI POLICE STATION,  
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, DISTRICT PRISON, DINDIGUL

+2. CC to M/S.D.SELVARAJ Advocate SR.No.7834, 7963

TSG

GJM/CM/VR/GSR/28.4.18-2P-8C

ORDER

IN

CRL OP(MD) No.7389 of 2018

Date : 28/04/2018