



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

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.12343 of 2018

S.SHANMUGAIAH PANDIYAN

... PETITIONER / ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.140 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.P.SANKARAKUMARAKURUPARAN, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 30.06.2018 for the offence punishable under Section 379 I.P.C. in Crime No.140 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner.

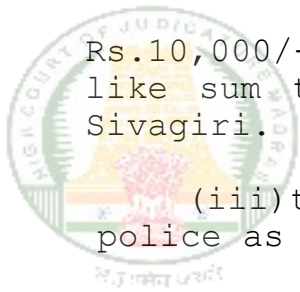
3.The learned Government Advocate(Crl.Side) for the respondent opposed the grant of bail by pointing out the petitioner is having previous cases.

4.The contraband involved is quarter unit of sand. Therefore, this Court taking an indulgent view, directing the petitioner to deposit a sum of Rs.5,000/- (Rupees five thousand only) to the credit of the concerned District Mineral Foundation Trust, without prejudice to his rights and contentions before the trial Court. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five thousand only) to the credit of the concerned District Mineral Foundation Trust, without prejudice to his rights and contentions before the trial Court.

<https://hcservices.ecourts.gov.in/hcservices/>

(ii)the 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, Sivagiri.

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

(iv) the petitioner shall not abscond.

(v) 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/-

19/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SIVAGIRI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL, SANKARANKOVIL.
4. THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TIRUNELVELI DISTRICT.

+1. CC to Mr.K.P.SANKARAKUMARAKURUPARAN Advocate SR.No.13397

ORDER IN

CRL OP(MD) No.12343 of 2018

Date :19/07/2018

MS/VR/ASVM/19.07.2018/2P.8C