



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 26/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8974 of 2019

Veeramani

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
Crime No.242/2019.

... Respondent/Complainant

For Petitioner : M/s.S.Deenadhayalan, Advocate.
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime NO.242/2019 on the file of the respondent police.

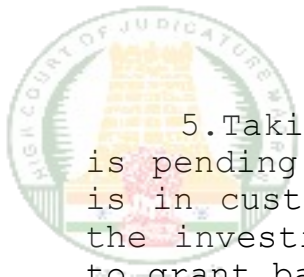
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act 1957.

2. Heard both sides.

3. The learned counsel for the petitioner has submitted that the petitioner is an innocent and he has been falsely implicated in the above said case. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 05.06.2019 and he is in custody for the past 21 days. He further submitted that by this time investigation might have been completed. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor has submitted that the petitioner is made an attempted to steal the river sand and hence, he strongly opposed this petition. However, he fairly conceded that no previous case is pending against the petitioner.



5. Taking into consideration of the fact that no previous case is pending against the petitioner and also the fact the petitioner is in custody for the past 21 days and by this time major part of the investigation might have been completed this Court is inclined to grant bail to the petitioner by imposing conditions:

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[a] 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 Judicial Magistrate, Pattukkottai, Thanjavur District.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m for a period of one month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

26/06/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PATTUKKOTTAI, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, SUB JAIL, PATTUKKOTTAI, THANJAVUR DISTRICT.
4. THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.10527

ORDER

IN

CRL OP(MD) No.8974 of 2019

Date :26/06/2019

MS/VR/SAR-3/26.06.2019/2P.7C