



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

Date : 05/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10982 of 2019

Arunpandian

... Petitioner/Sole Accused

Vs

The state rep by
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
Crime No.72 of 2019

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran, 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.72 of 2019 on the file of the Respondent Police

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner seeking bail for the alleged offence under Section 379 IPC read with 21(1) of Mines and Minerals Act 1957.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police has submitted that the petitioner is trying to transport two units of river sand without any valid license and hence, he strongly opposed this petition. However, he fairly conceded that the petitioner is not having any previous case.

5.Taking into consideration of the fact that the petitioner is in custody from 18.07.2019 and also the fact that the petitioner is not having any previous case, this Court is inclined to grant bail to the petitioner with certain conditions.



[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 Judicial Magistrate, Pattukottai, Thanjavur District.

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

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

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

[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/-
05/08/2019

/ TRUE COPY /

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

TO

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

+1. CC to Mr.K.M.KARUNAKARAN Advocate SR.No.12852

ORDER
IN
CRL OP(MD) No.10982 of 2019
Date :05/08/2019

gns