



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

Date : 03/09/2019

PRESENT

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

CRL OP (MD) . No.12286 of 2019

WEB COPY

1. Kalaiyarasan

2. Mahaprabu

... Petitioners/Accused

Vs

State,
rep. by Inspector of Police,
Thiruvidaimaruthur Police Station,
Thanjavur District,
(Crime No. 133/2019).

... Respondent/Complainant

For Petitioners : M/s. B. Anandan,
Advocate.

For Respondent : Mr. A. P. G. Ohm Chairma Prabhu,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 of Cr.P.C. PRAYER :-

For Bail in Crime No. 133 /2019 on the file of the respondent police

ORDER : The Court Made the following order :-

Heard the learned counsel on either side.

2. The petitioners are in custody since 11.08.2019 for the offences under Section 379 of I.P.C. and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957.

3. The learned Government Advocate (Crl. Side) submitted that the petitioners are having one previous case.

4. Taking note of all these aspects, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

[a] the petitioners are 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, Thiruvidaimaruthur.



[b] the petitioners shall report before the respondent police as and when required for the interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
03/09/2019

/ TRUE COPY /

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

TO

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

+1 CC to M/s.B.ANANDAN, Advocate(SR-14611[I] dated 03/09/2019)

ORDER IN
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