



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.12287 of 2019

WEB COPY

Rajamanickam

... Petitioner/Sole Accused
Vs

State Represented by
The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District,
(Crime No. 206/2019).

... Respondent/Complainant

For Petitioner : M/s.A.Thiruvadi Kumar,
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.206 /2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

Heard the learned counsel on either side.

2.The petitioner is in custody since 31.07.2019 for the offence under Section 379 r/w. 21(4) 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 petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following 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 No.II, Kumbakonam.



[b] the petitioner shall report before the respondent police 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/-
03/09/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
 - 4 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
KUMBAKONAM, THANJAVUR DISTRICT,
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.A.THIRUVADI KUMAR, Advocate
(SR-14593[I] dated 03/09/2019)

ORDER IN
CRL OP(MD) No.12287 of 2019
Date :03/09/2019