



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

Date : 05/09/2019

PRESENT

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

CRL OP(MD). No.12369 of 2019

1. Ganesan
2. Rameshkumar
3. Arul @ Arunkumar ... Petitioners/Accused Nos.1 to 3

Vs

State rep.by
The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District
(Crime No.182 of 2019). ... Respondent/Complainant

For Petitioners : M/s.A.Arun Prasad,
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.182 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

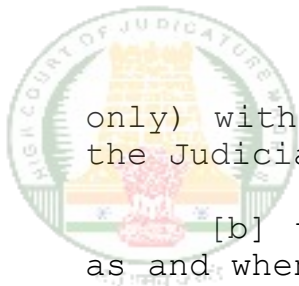
The petitioners are in custody since 22.08.2019, for the offence under Section 379 of I.P.C. r/w. 21(4) of Mines and Minerals Act, 1957.

2.The quantity involved is half unit of river sand. They were being transported in a Bullock Cart.

3.The learned Government Advocate (Crl. Side) submitted that there is no previous case against the petitioners.

4.Taking note of the facts and circumstances of the case, 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 No.III, Thanjavur.

[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/-

05/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR

2 -DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
AYYAMPETTAI POLICE STATION, THANJAVUR DISTRICT

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.ARUN PRASAD, Advocate(SR-14834[I] dated 05/09/2019)

ORDER IN

CRL OP(MD) No.12369 of 2019

Date :05/09/2019

IAS

<https://hcservices.ecourts.gov.in/hcservices> 2019/2P/7C