

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.12420 of 2019

1.Kumar

2.Kalimuthu

... Petitioners/Accused 1 to 3

Vs

State,

rep.by Inspector of Police,

Sethubavachatram Police Station,

Thanjavur District

(Crime No.117 of 2019). ... Respondent/Complainant

For Petitioner : 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.117 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

The petitioners are in custody since 21.08.2019, for the offences under 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and Section 379 of I.P.C.

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

3.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
Services Court, Min/Police case, Pattukkottai.

[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, PATTUKKOTTAI
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
- 4 THE INSPECTOR OF POLICE
SETHUBAVACHATRAM 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-14910[I] dated 05/09/2019)

ORDER IN
CRL OP(MD) No.12420 of 2019
Date :05/09/2019

IAS
ES/PN/SAR 1/05.09.2019/2P/7C

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