



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2019

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PRESENT

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

CRL OP(MD) . No.12473 of 2019

1. Baskar
2. Prakalathan
3. Govindaraj
4. Subramaniyan

... Petitioners/Accused Nos.1 to 4

Vs

The State Rep.by its
The Inspector of Police,
Melathur Police Station,
Thanjavur District
Crime No. 72/2019.

... Respondent/Complainant

For Petitioners : M/s.P.Surliraja,
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.72 /2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioners herein were arrested and remanded to judicial custody on 24.08.2019 for the offence under Section 379 of IPC r/w 21(4) of Mines and Minerals (Development and Regulation Act), 1957, for transporting sand in bullock carts.

3.The quantity of sand is not substantial. The petitioners are not having any previous case.



4. Taking note of these aspects, I am inclined to grant bail to the petitioners. Accordingly, they are enlarged on bail subject to the following conditions:-

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur District.

(ii) the petitioners shall appear before the respondent police as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

[v] 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].

[vi] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

06/09/2019

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR DISTRICT.

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

3 THE OFFICER INCHARGE, SUB JAIL,
PAPANASAM.

4 THE INSPECTOR OF POLICE
MELATHUR POLICE STATION,
THANJAVUR DISTRICT

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



+1. CC to M/S. P. SURLIRAJA Advocate SR.No.15001

ORDER

IN

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ES/PN/SAR 2/06.09.2019/3P/7C