



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

Date : 13/09/2019

PRESENT

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

CRL OP(MD). No.12718 of 2019

1. Palanivel
2. Pushpanathan
3. Muthukaruppan ... Petitioners/Accused
Vs

The State Represented by,
The Inspector of Police,
Sethupavasathiram Police Station,
Thanjavur District
(Crime No.128 of 2019). ... Respondent

For Petitioner : M/s.K.Muthuvai Ilayaraja,
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 :-

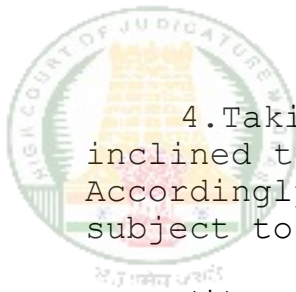
For Bail in Crime No.128 of 2019 on the file of the respondent

ORDER : The Court made the following order :-

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

2.The petitioners were arrested and remanded to Judicial Custody on 03.09.2019 for the offences punishable under sections 21 (1) of Tamil Nadu Mines and Minerals (Development and Regulation) Act 1957 and 379 of IPC, in Crime No.128 of 2019, on the file of the respondent police. They seek bail.

3.The learned Government Advocate (Crl. side) for the respondent submitted that the quantity involved is ¼ unit of sand. The petitioners are not having any previous case.



4. Taking note of the facts and circumstances of this case, I am 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;

(i) the petitioners shall execute 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, Pattukottai.

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

(iii) 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].

sd/-
13/09/2019

/ TRUE COPY /

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

TO

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

+1 CC to M/s.K.MUTHUVAI ILAYARAJA, Advocate
(SR-15334[I] dated 13/09/2019)

ORDER IN
CRL OP(MD) No.12718 of 2019
Date :13/09/2019

sjj

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