



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

Date : 13/09/2019

PRESENT

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

WEB COPY

CRL OP(MD). No.12739 of 2019

1. Venkatachalam
2. Dinesh
3. Vignesh
4. Chandrasekaran
5. Sathasivam
6. Kalimuthu
7. Kothaperumal ... Petitioners/Accused Nos. 1 to 7
Vs

State rep.by
The Inspector of Police,
Peravurai Police Station,
Thanjavur District
(Crime No.142 /2019). ... Respondent/Complainant

For Petitioner : M/s.D.R.Murugesan,
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 :-

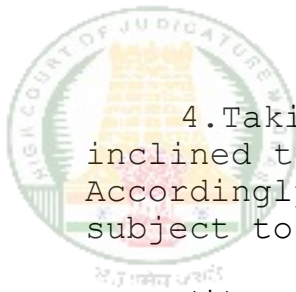
For Bail in Crime No.142 of 2019 on the file of the respondent.

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 are arrayed as accused No.1 to 7. They were arrested and remanded to Judicial Custody on 02.09.2019, for the offences punishable under Sections 379, 430 of I.P.C. r/w 21(1) of Mines and Minerals Act, 1957, in Crime No.142 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 petitioners are not having any previous case. The quantity involved is ¼ unit of sand.



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
PERAVURAI POLICE STATION, THANJAVUR DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.R.MURUGESAN, Advocate
(SR-15329[I] dated 13/09/2019)
ORDER IN
CRL OP(MD) No.12739 of 2019
Date :13/09/2019

sjj
ES/PN/SAR 4/13.09.2019/2P/7C