



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/09/2019

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PRESENT

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

CRL OP(MD). No.12844 of 2019

Anbumani

... Petitioner/Sole Accused

Vs

State:

rep.by Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District
(Crime No.183 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.183 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner is in custody since 02.09.2019, for the offences under section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and Section 379 of I.P.C., in Crime No. 183 of 2019, on the file of the respondent police. Hence, he seeks bail.

3.The petitioner illegally transported one unit of sand.

4. The learned Government Advocate (Crl. Side) submitted that the respondent is not having any previous case.

<https://hds.certrn.gov.in/services>



5. The petitioner's counsel on instructions gives an undertaking that the petitioner will deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust.

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5. Recording the said undertaking, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner 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, Pattukkottai.

(ii) the petitioner is 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 is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
17/09/2019

/ 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 OFFICER INCHARGE,
SUB JAIL, PATTUKKOTTAI.

4 THE INSPECTOR OF POLICE
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT

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

<https://hcservices.madras.gov.in/hcservices>



Copy To:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT

+1 CC to M/s.B.ANANDAN, Advocate (SR-15618[I] dated 17/09/2019)

ORDER

IN

CRL OP(MD) No.12844 of 2019

Date :17/09/2019

IAS

ES/PN/SAR 2/17.09.2019/3P/8C