



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/09/2019
PRESENT

WEB COPY

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

CRL OP(MD) . No.12995 of 2019

Pothiyappan

... Petitioner/Accused No.4

Vs

State rep.by
The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District
(Crime No.128 of 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.128 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 06.09.2019, for the offence under section 379 of I.P.C. r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.327 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. The quantity involved is quarter unit of river sand. They were being transported in bullock cart.

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



5. Recording the same, 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, Pattukottai.

(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/Trial Court 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/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/-
18/09/2019

/ 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 INCHARGE, SUB JAIL, PATTUKOTTAI.

4 THE INSPECTOR OF POLICE
THIRUCHITRAMBALAM 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-15682[I] dated 18/09/2019)

ORDER IN
CRL OP(MD) No.12995 of 2019
Date :18/09/2019

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