

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

Date : 20/09/2019

PRESENT

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

CRL OP(MD). No.13217 of 2019

A. Aravinthan

... Petitioner/3rd Accused

Vs

The State rep.by
The Inspector of Police,
Chinna Dharapuram Police Station,
Karur District.
(Crime No.165/2019). ... Respondent/Complainant

For Petitioner : M/s.M.Viji,
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.165 of 2019 on the file of the respondent.

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 08.09.2019 for the offences punishable under sections 379 of I.P.C., r/w Section 21(1) of Mines and Minerals (Development and Regulation Act), 1957, in Crime No.165 of 2019 on the file of the respondent police. He seeks bail.

3. Taking note of the facts and circumstances of this case, 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, Karur District.

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

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

(iv) the petitioner 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 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].

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

sd/-
20/09/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ARAVAKURICHI, KARUR DISTRICT.
2. DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT
- 3 THE INSPECTOR OF POLICE
CHINNA DHARAPURAM POLICE STATION,
KARUR DISTRICT.
4. THE OFFICER INCHARGE,
SUB JAIL, KARUR.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.VIJI, Advocate (SR-15978[I] dated 20/09/2019)

ORDER IN
CRL OP(MD) No.13217 of 2019
Date :20/09/2019

ES/PN/SAR 3/20.09.2019/2P/7C

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