



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.504 of 2020

SATHEESH KUMAR

... PETITIONER/ACCUSED NO.4

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
THIRUCHULI,
VIRUDHUNAGAR DISTRICT,
IN CRIME NO.227 OF 2019.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.A.Balaji,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

for Bail Crime No.227 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 22.12.2019, for the offences under Section 379 of I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.227 of 2019 on the file of the respondent police. Hence, he seeks bail.

3. The learned Government Advocate (Crl Side) states that the contraband involved in this case is three units of river sand and that the petitioner is having one previous case.

4. Since the continued incarceration of the petitioner is not serving any purpose, 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 No.II, Sattur.

(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/-
20/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
THIRUCHULI VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-930[I] dated 20/01/2020)

ORDER
IN
CRL OP(MD) No.504 of 2020
Date :20/01/2020

IAS
JM/PN/SAR 2/20.01.2020/2P/7C