



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/01/2020

PRESENT

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

CRL OP (MD) . No.541 of 2020

Palanivel

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.215 of 2019)

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Bail in Crime No.215 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 20.12.2019 for the offences under Sections 379 of IPC read with 21(1) of Mines and Minerals Act, 1957 in Crime No.215 of 2019 on the file of the respondent police. He seeks bail.

3. The learned Government Advcoate would point out that six units of sand is involved and the petitioner is not having any previous case.

4. Taking note of the fact that a large quantity of sand involved, the petitioner has to be put on terms. The learned counsel for the petitioner states that the petitioner will deposit a



deposit to the credit of the concerned District Mineral Foundation Trust.

5. Recording this 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 learned Judicial Magistrate, Pattukottai, Thanjavur District.

(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/-
10/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, SUB JAIL, PATTUKOTTAI.
4. THE INSPECTOR OF POLICE, MADUKKUR POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
6. THE OFFICER INCHARGE, DISTRICT MINERAL FOUNDATION TRUST, THANJAVUR

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-746[I] dated 10/01/2020)

ORDER
IN
CRL OP (MD) No.541 of 2020
Date :10/01/2020

MS/VR/SAR-4/10.01.2020/2P.8C