



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

Date : 24/01/2020

PRESENT

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

CRL OP(MD) . No.1140 of 2020

M.Sunilkumar

... Petitioner/Accused

Vs

State through
The Inspector of Police,
Kulasekharam Police Station,
Kanyakumari District
(In Crime No.238 of 2019).

... Respondent/Complainant

For Petitioner : M/s.S.J.Chakkaravathy,
Advocate.

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

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

PRAYER :-

for Bail in Crime No.238 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 10.01.2020 for the offences under Section 379 of I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.238 of 2019, on the file of the respondent police. Hence, 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 No.II, Padmanabhapuram, Kanyakumari 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/-
24/01/2020

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

TO

- 1 JUDICIAL MAGISTRATE NO.II
PADMANABHAPURAM, KANYAKUMARI DISTRICT
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3 THE OFFICER IN CHARGE,
DISTRICT JAIL, NAGERCOIL, KANYAKUMARI DISTRICT.
 - 4 THE INSPECTOR OF POLICE
KULASEKHARAM POLICE STATION, KANYAKUMARI DISTRICT
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- +1 CC to M/s.S.J. CHAKKARAVARTHY,Advocate(SR-1353 dated 24/01/2020)

ORDER
IN
CRL OP(MD) No.1140 of 2020
Date :24/01/2020

IAS
ES/PN/SAR 3/24.01.2020/2P/7C