



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

Date : 14/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2595 of 2020

1.Selvakumar
2.Kannan
3.Pethuraj

... Petitioners/Accused
No.1 to 3

Vs

The State rep.by
The Sub Inspector of Police,
Mayiladumparai Police Station,
Theni District.
Crime No.9 of 2020

... Respondent/Complainant

For Petitioners : M/s.K.Prakash,
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.9 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners are in custody since 01.02.2020 for the offences punishable under section 379 of I.P.C., and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.9 of 2020 on the file of the respondent police. They seek bail.

3. The petitioner's counsel seeks leave to withdraw this petition as regards the petitioners 1 and 3.

4. The withdrawal became necessary because the learned Government Advocate (Crl.side) points out that the petitioners 1 and 3 are having five previous cases of the same nature. Hence, this petition is dismissed as withdrawn as far as the petitioners 1 and 3



are concerned.

5. Taking note of the facts and circumstances of this case, I am inclined to enlarge the second petitioner on bail with certain conditions. Accordingly, the second petitioner is ordered to be released on bail, subject to the following conditions;

(i) the second 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, Aundipatti, Theni District.

(ii) the second 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 second petitioner in accordance with law as if the conditions have been imposed and the petitioners 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/-
14/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE,
AUNDIPATTI, THENI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3.THE SUB INSPECTOR OF POLICE,
MAYILADUMPARAI POLICE STATION, THENI DISTRICT.
- 4.THE OFFICER INCHARGE
DISTRICT PRISON, THENI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.PRAKASH Advocate SR.No.3115

ORDER
IN
CRL OP(MD) No.2595 of 2020
Date :14/02/2020

TK/PN/SAR.2/14.02.2020/2P/7C