



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

Date : 20/02/2020

PRESENT

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

CRL OP(MD). No.3038 of 2020

Subbaiyan ... Petitioner/Accused(sole)

Vs

The State rep.by
The Inspector of Police,
Kabistharam Police Station,
Thanjavur District.
Crime No.35 of 2020.

... Respondent/Complainant

For Petitioner : M/s.S.Elumalai,
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.35 of 2020 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 09.02.2020 for the offences under Section 379 of I.P.C. and Section 21(4) of Mines and Minerals (Development and Regulation) Act in Crime No.35 of 2020 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 District Munsif Cum Judicial Magistrate, Palanassam, 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/-
20/02/2020

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

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM ,THANJAVUR DISTRICT.

2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3.THE OFFICER INCHARGE,
SUB JAIL, PAPANASAM, THANJAVUR DISTRICT.

4.THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.

5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.ELUMALAI Advocate SR.No.3636

ORDER
IN
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Date :20/02/2020

TK/VR/SAR.2/20.02.2020/2P/7C