



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3336 of 2020

1. Selvakumar
2. Pethuraj

... Petitioners/Accused No.1 & 3

Vs

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

... Respondent/Complainant

For Petitioners : M/s.R.Maheswaran,
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 learned Government Advocate (Crl.side) points out that the petitioners are having a number of previous cases of the same nature.

4. I am of the view that their continued incarceration is not warranted. I only hope that they will have learnt their lessons.



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

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Aundipatti.

(ii) the petitioners are 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 petitioners 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/-
25/02/2020

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

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-3983[I] dated 25/02/2020)

ORDER
IN
CRL OP(MD) No.3336 of 2020
Date :25/02/2020

MS/PN/SAR-1/25.02.2020/2P.7C