



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

Date : 15/04/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4826 of 2020

Prabakaran

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Naducavvery Police Station,
Thanjavur District. Cr No.30/2020.

... Respondent/Complainant

For Petitioner : M/s.R.Venkateshwar,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Government Advocate (Crl.Side)

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

PRAYER :-

for bail in Crime No. 30 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

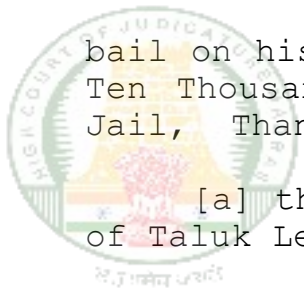
Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner is sole accused. He was arrested and remanded to Judicial Custody on 04.03.2020 for the offences punishable under sections 379 of I.P.C. read with Section 21(1) of Mines and Minerals Act 1957 in Crime No.30 of 2020 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that the petitioner illegally transported ¼ unit of sand in his bullock cart.

4.The Additional Public Prosecutor submitted that the bullock cart was seized by the respondent police and that bail may be granted by imposing stringent conditions.

5.Considering the submission made by the learned Additional Public Prosecutor, this Court is inclined to grant bail to the petitioner on condition that he shall pay a sum of Rs.10,000/- to the credit of Taluk Legal Service Authority, Thiruvaiyaru. On production of receipt, the petitioner is ordered to be released on



bail on his executing own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Superintendent, Sub Jail, Thanjavur and on further condition that,

[a] the petitioner shall pay a sum of Rs.10,000/- to the credit of Taluk Legal Service Authority, Thiruvaiyaru.

[b] the petitioner shall report before the respondent police for interrogation, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
15/04/2020

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.
- 4 THE INSPECTOR OF POLICE
NADUCAUVERY POLICE STATION, THANJAVUR DISTRICT.
- 5 THE OFFICER INCHARGE,
THE LEGAL SERVICE AUTHORITY, THIRUVAIYARU.

ORDER
IN
CRL OP(MD) No.4826 of 2020
Date :15/04/2020