



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

Friday, the Twelfth day of June Two Thousand Twenty
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CRL OP(MD) No.6105 of 2020

1 ARUN
2 AYYANAR

... PETITIONERS / ACCUSED 1 & 2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO. 187 OF 2020.

... RESPONDENT / COMPLAINANT

For Petitioner : M/s. C.Jeyaprakash, Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioners on bail in connection with Cr.No. 187 of 2020 on the file of the respondent police and pass such other orders as this Honble Court.

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 arrayed as accused Nos.1 and 2. They were arrested and remanded to Judicial Custody on 30.04.2020 for the offence punishable under sections 188, 270, 379 of I.P.C and Section 21(i) of Mines and Minerals (Development) Regulation Act and Section 3 of Epidemic Diseases Act, 1897 r/w Section 134 of T.N. Public Health Act, 1939 and in Crime No.187 of 2020 on the file of the respondent police. They seek bail.

3. The petitioners are said to have illegally transported one unit of river sand.

4. I am of the view that continued incarceration of the petitioners is not warranted. Hence, bail is granted. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioners are directed to 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 No.II, Virudhunagar, after the



concerned Court is reopened on regular basis.

(ii) the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the 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 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/-

12/06/2020

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/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
AMATHUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER

IN

CRL OP(MD) No.6105 of 2020

Date :12/06/2020

SMA/SKN/SAR-II/15/06/2020/2P/6C