



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.8734 of 2020

1. Nallamuthu
2. Manikandan

... Petitioners/Accused Nos.1 & 2

Vs

The Sub Inspector of Police,
Thuraiyur Police Station,
Trichy District.
Crime No.290/2019

... Respondent/Complainant

For Petitioner : M/s.S.Muthukrishnan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No. 290/2019 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 arrayed as accused Nos.1&2. They were arrested and remanded to Judicial Custody on 23.10.2019 for the offences punishable under sections 379, 353, 307 and Section 21(1) of the Mines and Minerals Act, in Crime No. 290 of 2019 on the file of the respondent police. They seek bail.

3.The petitioners' counsel would state that till date final report has not been filed. He also would point out that the petitioners were detained under Goondas Act and the detention order was also revoked.



4.The learned Government Advocate would point out that the petitioners are having bad antecedents.

5.Taking note of the long period of the custody of the petitioners, 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 be released on own bond by the Magistrate without insisting on sureties. However, the petitioners are directed to execute a bond each 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, Thuraiyur after the concerned Court is reopened on regular basis.

(ii)the petitioners are directed to appear before the respondent police every alternate Monday until further orders.

(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/-
24/08/2020

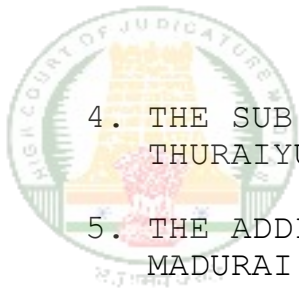
/ TRUE COPY /

/ /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, THURAIYUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,CENTRAL JAIL, TRICHY.



4. THE SUB INSPECTOR OF POLICE,
THURAIYUR POLICE STATION, TRICHY DISTRICT.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.8734 of 2020

Date :24/08/2020

MS/PN/SAR-3/25.08.2020/3P.6C