



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2020

PRESENT

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

CRL OP(MD) . No.19627 of 2019

Karthi ... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Swamimala Police Station,
Thanjavur District.

... Respondent/Complainant

For Petitioner : M/s.R.Senthil Kumar,
Advocate.

For Respondent : Ms.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.320 of 2019 on the file of the Respondent Police

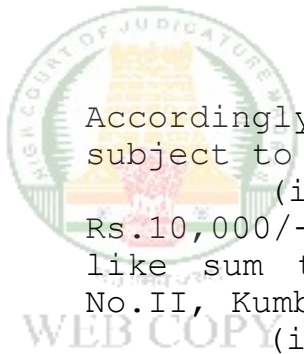
ORDER : The Court made the following order :-

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 16.12.2019 for the offences punishable under sections 379 of IPC read with 21(4) of Mines and Minerals (D&R) Act, 1957, in Crime No.320 of 2019 on the file of the respondent police. He seeks bail.

3.The learned Government Advocate submitted that the petitioner had transported half unit of sand. The petitioner is not having any previous case.

4. I am of the view that the continued incarceration of the petitioner is not going to serve any purpose. Therefore, considering 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 learned Judicial Magistrate No.II, Kumbakonam.

(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/-
02/01/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.

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

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

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

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

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-22[I] dated 02/01/2020)

ORDER
IN
CRL OP(MD) No.19627 of 2019
Date :02/01/2020

SDS/PN/SAR-1/02.01.2020/2P-7C