



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

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.23032 of 2013

1 CHINNAN
2 SELVAM

... PETITIONERS/ACCUSED NOS.1 AND 2

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE
VICKRAMANGALAM POLICE STATION,
MADURAI DISTRICT,
CRIME NO.136/2013

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.SUDHA SATHIYANATH Advocate
For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 in Crime No.136 of 2013, on the file of the respondent police, apprehending arrest at the hands of the respondent police for the alleged commission of offences punishable under Sections 379 I.P.C., r/w 20(1)(V) of Mines and Minerals (Development and Regulation) Act, 1957, seek anticipatory bail.

2. The case of the prosecution is that the petitioners, without any authorization or permission, had quarried the river sand worth about Rs.4,000/-.

3. Learned counsel appearing for the petitioners would submit that the petitioners are falsely implicated in this case and they are nothing to do with the alleged commission of offence and they are charged only for statistical purpose.

4. Learned Government Advocate (Crl. Side) would submit that the petitioners are also involved in one another case, which is similar in nature to the present case, in Crime No.52 of 2013, registered by the same respondent Police.



5. In response to the said submission, the learned counsel appearing for the petitioners would submit that in the said case charge sheet had been filed before the concerned Judicial Magistrate and after full fledged trial, the petitioners were acquitted from the charges.

6. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the State and also perused the entire materials available on record.

7. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Usilampatti, and on each executing a personal 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 11.00 a.m., for a period of two weeks, thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail would stand dismissed.

sd/-
20/12/2013

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, USILAMPATTI
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
4. THE SUB INSPECTOR OF POLICE
VICKRAMANGALAM POLICE STATION,
MADURAI DISTRICT

+1. CC to M/S.B.SUDHA SATHIYANATH Advocate SR.No.63679
RL/6 C- 27/12/2013

ORDER
IN
CRL OP (MD) No.23032 of 2013
Date : 20/12/2013