



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

Monday, the Thirtieth day of December Two Thousand Thirteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23648 of 2013

1 ESAKKIMUTHU
2 MURUGAN

... PETITIONERS / ACCUSED No.1 & 2

Vs

THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO. 408/2013.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.KRISHNASAMY Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners/A1 and A2 apprehend arrest at the hands of the respondent police for the alleged commission of offences punishable under sections 379 of I.P.C. read with Section 21(1) of the Mines and Minerals Act, in Crime No.408 of 2013 on the file of the respondent police, seek anticipatory bail.

2.It is alleged by the petitioners that the petitioners are innocent persons and they are nothing to do with the alleged commission of offence.

3.The learned Government Advocate (criminal side) would submit that the property involved in this case is one unit of sand and the contraband has been seized. He would further submit that no previous case against the petitioners.

4. In the facts and circumstances of the case, since there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are directed to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate No.2, Kovilpatti, and on each of them executing 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.



6. 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 stands dismissed.

sd/-
30/12/2013

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.2,
KOVILPATTI, THOOTHUKUDI DISTRICT.
 - 2 do-thro' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION, TUTICORIN DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.KRISHNASAMY Advocate SR.No.64473

ORDER
IN
CRL OP(MD) No.23648 of 2013
Date :30/12/2013

gdr 02.01.2014 2p/6C