



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

Thursday, the Eleventh day of June Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.10410 of 2015

WEB COPY

1 PATTAI ESWARAN@ESWARAN

2 RAVI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY

THE INSPECTOR OF POLICE

GUDALUR SOUTH POLICE STATION,

THENI DISTRICT.

(CR.NO.77 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN

Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

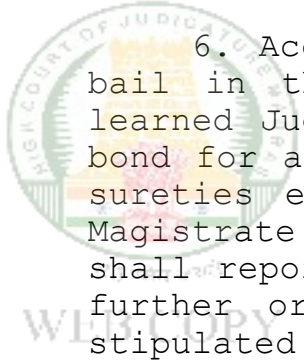
The petitioners, who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 21(A) of Mines and Minerals Act, 1957, 36 (A) of Mines and Minerals Concession Rules, 1957 and Section 379 of I.P.C in Crime No.77 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 22.05.2015 at about 2.30 a.m, when the defacto complainant was on patrolling duty in Otha Veedu Granery area, he found a tractor with 1/2 unit of sand without any legal permit. The entire unit of sand and tractor were seized by the respondent.

3. The learned counsel for the petitioners submitted that the first petitioner is the owner of the tractor and the second petitioner is the driver and they have not committed any offence and a false case has been registered against them.

4. The learned Government Advocate (Crl.side) submitted that the petitioners have one previous case.

5. Considering the submissions made by the learned Government Advocate (Crl.side) and also considering the quantity of the contraband, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam and on each 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 report before the respondent Police daily at 10.00 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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/-  
11/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE THENI DISTRICT
- 3 THE INSPECTOR OF POLICE GUDALUR SOUTH POLICE STATION,  
THENI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.K.MANICKAM Advocate SR.No.30124  
ORDER  
IN  
CRL OP(MD) No.10410 of 2015  
Date :11/06/2015

NA/KBM/15/06/2015/P2/6C