



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

Friday, the Twenty Third day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.1069 of 2015

ASAITHAMBI

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
THENI DISTRICT
IN CRIME .NO.14/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.SENTHIL KUMAR Advocate
For Respondent : M/S.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 petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under sections 379, 353 I.P.C. r/w 21(1) of Mines and Minerals Act in Crime No.14 of 2015 on the file of the respondent police and hence seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the sole accused and on 13.01.2015, the petitioner had transported 1 1/2 unit of river sand in a tractor bearing Registration No.TN-58-A-8001 without any permit or licence.

3. The learned Counsel appearing for the petitioner would submit that the petitioner is falsely implicated purely on account of statistical purpose and is nothing to do with the alleged commission of offence.

4. The learned Government Advocate(Crl.Side) would submit that the tractor as well as the contraband were recovered and that the investigation is pending and further submit that the petitioner is not having any antecedent.



5. In response, the learned Counsel appearing for the petitioner on instructions, would submit that without prejudice to his rights and contentions, the petitioner is willing to deposit a sum of Rs.2,000/-

6. This Court, taking into consideration the above facts and circumstances, is inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Theni and on 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 petitioner shall deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Cr.No.14 of 2015 before the concerned Court within a period of two weeks and on further condition that the petitioner shall appear before the respondent police daily at 11.00a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

23/01/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THENI
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE SUB INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT
- +1. CC to M/S.M.SENTHIL KUMAR Advocate SR.No.3250
RL/6 C- 27/1/2015

ORDER

IN

CRL OP(MD) No.1069 of 2015

Date : 23/01/2015