



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

Friday, the Seventh day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.15370 of 2015

WEB COPY

1.MAYANDI

2.SHANMUGA VELAYUTHAM

... PETITIONERS/ACCUSED NO.1 & 2

VS

THE STATE REP BY
SUB INSPECTOR OF POLICE,
SERAKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 40 OF 2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.V.NATARAJAN ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA GOVERNMENT ADVOCATE (CRL.SIDE)

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

ORDER : The Court Made the following order :-

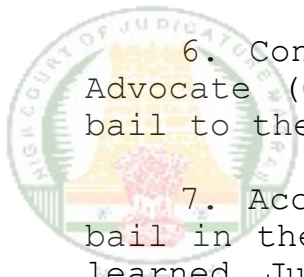
The petitioners who are arrayed as A1 and A2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 and 307 IPC r/w Section 21(1) of Mines and Minerals Development Act, 1957, in Crime No.40 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the prosecution is that on 02.08.2015, the Inspector of Police, Seithunganallur, along with the respondent police intercepted the vehicle which was used for transporting the sand illegally and the driver did not stop the vehicle and attempted to murder the respondent police. Hence, a case has been registered against the petitioners.

3. Learned Counsel appearing for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the first petitioner is the driver of the vehicle and the second petitioner is a coolie worker.

4. The learned Government Advocate (Criminal side) appearing for the respondent submits that no previous case is pending against the petitioners and no one sustained injury.

5. Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondent.



6. Considering the submissions made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

7. 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, Srivaikundam, and 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 until further orders. The petitioners shall comply with the condition 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 stands dismissed.

sd/-
07/08/2015

/ TRUE COPY /

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

TO

1. THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
 2. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
 3. THE STATE REP BY
SUB INSPECTOR OF POLICE,
SERAKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.JEYAKARTHIK, Advocate SR.No. 45290

ORDER
IN
CRL OP(MD) No.15370 of 2015
Date :07/08/2015

2P/6C
TE/KBM/SAR-I 11/08/2015