



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

Friday, the Fourteenth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15750 of 2015

KANNAN

... PETITIONER/A-2

Vs

STATE REP BY INSPECTOR OF POLICE,
CUMBUM SOUTH POLICE STATION, THENI DISTRICT.
(CR.NO. 183 OF 2013)

... RESPONDENT/COMPLAINANT

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

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C. and Section 21 (IV) (1)(A) of Mines and Minerals Development Regulation Act in Crime No.183 of 2013 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has committed theft of 1 1/2 unit river sand.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the petitioner/A2 is the driver and A1 was already arrested and there is no previous case against the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Uthamapalayam and on his 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 petitioner shall appear before the respondent on 1.10.2015 at 11.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



6. 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/-
14/08/2015

/ TRUE COPY /

WEB COPY

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

TO

1.THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM

2.DO THROUGH THE JUDICIAL MAGISTRATE, THENI DISTRICT

3.INSPECTOR OF POLICE, CUMBUM SOUTH POLICE STATION,
THENI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1CC to Mr.A.K.Manickam ADV.SR.No.47129

ORDER
IN
CRL OP(MD) No.15750 of 2015
Date :14/08/2015

GJM/SKN/SK/SARJ-19.8.15-2P-6C