



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

Tuesday, the Twenty Seventh day of October Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.17672 of 2015

RAJKUMAR

.. PETITIONER/ A-1

Vs

STATE REP THE INSPECTOR OF
POLICE
CUMBUM NORTH POLICE STATION
THENI DISTRICT
(CR.NO.269 OF 2015)

... 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 :-

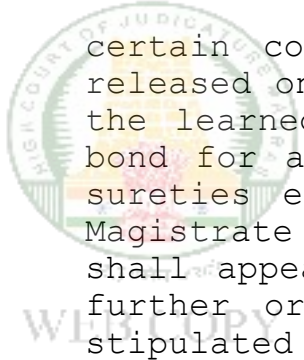
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Section 379 IPC r/w Section 21 of 4(1-A) of Mines and Minerals Development and Regulation Act in Crime No.269 of 2015 on the file of the respondent Police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is a Driver of a Tractor bearing registration No.TN-57 ER 2802 and he was found transporting half unit of sand from the Village pond.

3.The learned counsel for the petitioner submitted that the 2nd accused, who is the owner of the vehicle, was granted anticipatory bail in Crl.O.P.(MD)No. 11802 of 2015 and the petitioner has been falsely roped in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that earlier three applications for anticipatory bail were dismissed on the ground that he is having previous cases. It is further submitted that the major part of the investigation is almost over.

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 arrest or on his appearance before the learned Judicial Magistrate, Uthamapalayam, and on 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 police daily at 10.00 am 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 Court 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/-
27/10/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, UTHAMAPALAYM
2. DO THROUGH THE CHIEF JUDICIAL MAIGISTRATE, THENI DISTIRCT
3. THE INSPECTOR OF POLICE, CUMBUM NORTH POLICE STATION
THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.K.MANICKAM Advocate SR.No.62797

ORDER
IN
CRL OP(MD) No.17672 of 2015
Date :27/10/2015

GJM/GSV/PM/SARII-28.10.15-2P-6C