



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

Thursday, the Tenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23435 of 2015

1 RAMAR
2 SASIKUMAR

... PETITIONERS / ACCUSED 2 & 3

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
KODALLOOR SOUTH POLICE STATION,
KODALLOOR,
THENI DISTRICT.
(CRIME NO. 215 / 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.MAHENDRAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

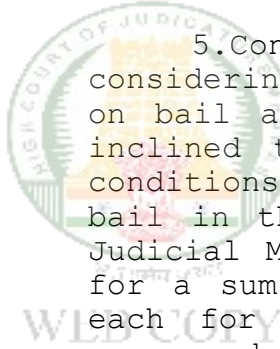
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 & 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 21(A) Mines and Minerals (D & R) Act 1957 r/w 36 (A) of Mines and Minerals Concession Rules, 1957 and Section 379 of IPC, in Crime No.215 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 01.12.2015 the Sub Inspector of Police, Koodalloor South Police Station while doing routine rounds, some persons transporting the sand without any permission and it was found that 1 unit of sand worth Rs.3,000/- was loaded and on seeing the police party, they ran away from the scene of occurrence and the driver of the vehicle was arrested. Therefore, the case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are owners of the vehicle and they have not committed any offence and their name has not been mentioned in the FIR and only on the confession given by the first accused, the driver of the vehicle, this petitioners name have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that A1 was arrested and lodged on bail and the investigation is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the first petitioner was arrested and released on bail and the petitioners are owners of the vehicle, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. 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 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.

6. 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/-
10/12/2015

/ 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 CHEIF JUDICIAL MAGISTRATE
THENI DISTRICT

3 THE SUB INSPECTOR OF POLICE
KODALLOOR SOUTH POLICE STATION,
KODALLOOR,
THENI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.MAHENDRAN Advocate SR.No.70802.

ORDER
IN
CRL OP(MD) No.23435 of 2015
Date :10/12/2015

AM/11.12.2015/NGM.SS/SAR-I/2P/6C