



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

Friday, the Eleventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23571 of 2015

WEB COPY

1 RAJKUMAR
S/O. KONDU REDDIYAR, VADAMALAIKURUCHI,
VIRUDHUNAGAR TALUK & DISTRICT. NOW AT
MALLAMPATTI, ARUPPUKOTTAI TALUK,
VIRUDHUNAGAR DT.

... PETITIONER(S) / ACCUSED

Vs

1 THE INSPECTOR OF POLICE
M.REDDIYAPATTI POLICE STATION,

VIRUDHUNAGAR DISTRICT.
(CRIME NO. 151/2015)

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S S.J.CHAKKARAVARTHY Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

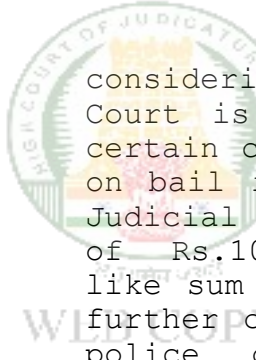
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.151 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 21(1), (5), Mines and Mineral Act r/w Section 379 IPC and hence, seek anticipatory bail.

2. The case of the prosecution is that on 08.12.2015, at the time of vehicle check up, the respondent police stopped the vehicle (tipper lorry) owned by the petitioner and found that 3 unit of gravel sand was illegally transported without any permit and the case has been registered for the aforesaid offences.

3.The case of the petitioner is that the petitioner is the owner of the lorry and he is innocent and he has not committed any offence as alleged by the prosecution and sand was recovered by the respondent and it is under the custody of the respondent police. There is no previous case pending against the petitioner.

4. The learned Government Advocate submitted that sand was
<https://hdservices.mca.gov.in/hdservices/> and A3 and they were arrested on 08.12.2015 and they are still in custody.



5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is the owner of the lorry, 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, Aruppukottai, 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 police daily at 10.00 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/-

11/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
VIRUTHUNAGAR DISTRICT

3 THE INSPECTOR OF POLICE
M.REDDIYAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S S.J.CHAKKARAVARTHY Advocate SR.No.71114.

ORDER

IN

CRL OP(MD) No.23571 of 2015

Date :11/12/2015

AM/14.12.2015/AAL.MPA/AR-II/2P/6C