



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

Monday, the Fourteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23653 of 2015

M. MURUGAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT,
CR NO.391/2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.S.JEYAKARTHIK Advocate

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

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

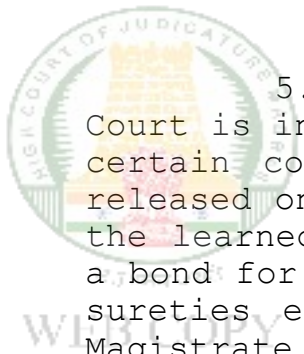
ORDER : The Court Made the following order :-

The petitioner, who is arrayed accused, in Crime No.391 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 21(iv) (1) (A) of TNP Mines and Minerals and Development Regulation Act and Section 379 IPC and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 09.12.2015 at 10.00 p.m when the Special Sub Inspector of Police on his patrol duty, chased the vehicle and at that time, he found that the trailer contained 1 unit of 'Odai Manal' worth about Rs.1,500/- and the same was transported without any valid permit and on his complaint, the case has been registered against the petitioner, who is the owner of the vehicle.

3. The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence and he is only an agriculturist and for planting coconut saplings in the nearby agricultural land, odai manal was taken. Hence, he prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate(Crl. Side) submitted that the petitioner is having two previous cases and he is the driver-cum-owner of the trailer.



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 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 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/-
14/12/2015

/ 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 CHIEF JUDICIAL MAGISTRATE,THENI.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.

+1. CC to M/S M.S.JEYAKARTHIK Advocate SR.No.71501

ORDER
IN
CRL OP(MD) No.23653 of 2015
Date :14/12/2015

RG.NGM-SS/SAR-I 16.12.2015 2P:6C