



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2415 of 2015

1 P. PERIYA MUTHUPANDI,
2 P. INDIRAN
3 A. MADASAMY

... PETITIONER(S) / ACCUSED 1,2 & 4

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION, THOOTHUKUDI DT,
CRIME NO.63/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G. THALAIMUTHARASU Advocate

For Respondent : M/S.R.Ramachandran Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.63 of 2015, on the file of the respondent police for the offence under Sections 379 IPC r/w.21(1) of Tamil Nadu Mines and Minerals Development Regulation Act, 1957, the petitioners are now before this Court seeking Anticipatory Bail.

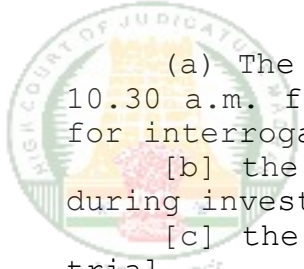
2. It is the case of the prosecution that the petitioners have illegally transported one unit of Odai sand.

3. The learned counsel for the petitioner would submit the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence.

4. The learned Government Advocate (crl. side) would submit that there is no previous case against the petitioners.

5. In such circumstances, I am inclined to grant anticipatory bail to the petitioners, but with conditions.

6. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kovilpatti on executing a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,



(a) The petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

7. 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 petitioner for anticipatory bail stands dismissed.

sd/-
12/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, KOVILPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.

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

4 THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.G. THALAIMUTHARASU Advocate SR.No. 6705

TS/14.02.2015/2P-6C

ORDER
IN
CRL OP(MD) No.2415 of 2015
Date :12/02/2015