



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2504 of 2015

B.ELANGO VAN

... PETITIONER/ 2nd ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
ODAIPATTI POLICE STATION, THENI DISTRICT.
CR.NO. 16/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A. KARTHIK Advocate

For Respondent : MR.R.RAMACHANDRAN Govt. Advocate (Crl. Side)

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.16 of 2015, on the file of the respondent police for the offence under Section 21(iv)(1)(A) TNP Mines and Minerals and Development Regulation Act and sec 379 IPC, the petitioner is now before this Court seeking Anticipatory Bail.

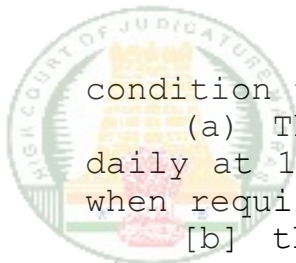
2. It is the case of the prosecution that the petitioner has illegally transported 3/4 unit of sand.

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

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

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

6. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Special Chief Judicial Magistrate, Uthamapalayam 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 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 petitioner for anticipatory bail stands dismissed.

sd/-
12/02/2015

/ TRUE COPY /

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

TO

- 1 THE SPECIAL CHIEF JUDICIAL MAGISTRATE, UTHAMAPALAYAM
- 2 THE INSPECTOR OF POLICE, ODAIPATTI POLICE STATION, THENIDISTRICT.
- 3 THE ADDL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A. KARTHIK Advocate SR.No.6686

ORDER
IN
CRL OP(MD) No.2504 of 2015
Date :12/02/2015

AA/16.02.2015/2p- 5c/