



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

Wednesday, the Fourth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3910 of 2015

SEENIVASAN

... PETITIONER/ACCUSED NO.2

Vs

THE SUB INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
CR. NO.58 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.58 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side).

3. The learned Government Advocate(Crl.Side) would submit that the accused has transported two unit of sand illegally and the vehicle has been seized and there is no previous case as against the petitioner.

4. Considering the facts and circumstances of the case, this Court is inclined to grant Anticipatory Bail to the petitioner.

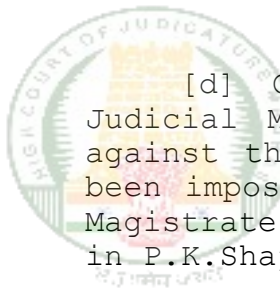
5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the 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 report before the respondent police daily at 06.30p.m. until further orders.

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

<https://hcservices.ecourts.gov.in/hcservices/>

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



[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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].

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-
04/03/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MUSIRI
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
3. THE SUB INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 09.03.2015 : 2P/5C

ORDER
IN
CRL OP(MD) No.3910 of 2015
Date :04/03/2015