



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

Wednesday, the Eleventh day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4503 of 2015

MANI

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
THOTTIAM POLICE STATION,
TRICHY DISTRICT.
(CR.NO. 58 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.VADIVELAN 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 an alleged offence punishable under Sections 397 of IPC r/w. 21(1) of Mines and Minerals (Development Regulation), Act, 1957 in Crime No.58 of 2015, seeks anticipatory bail.

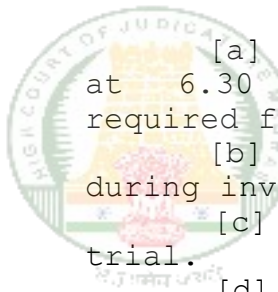
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The case of the prosecution is that the petitioner is alleged to have transported 2 units of sand by using lorry bearing Reg.No.TN 88 1630.

4. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case.

5. The learned Government Advocate (Crl. Side) submits that there is no previous case against the petitioner.

6. Considering the facts and circumstances of the case and also considering the fact that there is no previous case against the petitioner, I am inclined to grant anticipatory bail to the petitioner. 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 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 6.30 p.m for a period of four 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 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].

sd/-
11/03/2015

/ TRUE COPY /

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

TO

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

+1. CC to M/S.T.VADIVELAN Advocate SR.No.12044

Sm:13.03.2015:2P/6C:

ORDER
IN
CRL OP(MD) No.4503 of 2015
Date :11/03/2015