



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

Tuesday, the Seventeenth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4858 of 2015

1 P.RAMESH
2 P.VEERANAN

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DIST.
(CR.NO. 409 OF 2012)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : MR.S.SHANMUGAVELAYUTHAM, STATE PUBLIC PROSECUTOR
ASST. BY 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 447, 109, 379, 406, 420, 430, 434, 465, 467, 468, 471 r/w 120(b), 109, 114 IPC, Sections 3(I)(II) and 4 of TNPPDL Act, 1992 and 6(f), 3(a), 4(a) of Explosives Substances Act in Crime No.409 of 2012 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor assisted by the learned Government Advocate (Crl.Side), appearing for the State.

3. It is the case of the prosecution that these petitioners were working as Drillers under one Periyakaruppan, Proprietor of Kumar Exports, which holds a Quarry License and the said Periyakaruppan is alleged to have quarried in excess of the land that was allocated to him by the Government.

4. It is seen that this case was registered way back in the year 2012 and that Periyakaruppan was arrested by Police and released on bail. These petitioners, being employees working under Periyakaruppan, I am of the view that this is a fit case to grant anticipatory bail to these petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that each of 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 learned Magistrate concerned and on further condition that:



[a] the petitioners shall report before the respondent police daily at 10:30a.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].

sd/-
17/03/2015

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.SARAVANAKUMAR Advocate SR.No. 12661

SR : 19.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.4858 of 2015
Date :17/03/2015