



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

Wednesday, the Eighth day of April Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.5616 & 5618 of 2015

1 SENTHIL
2 CHINNAPPAN

... PETITIONERS / ACCUSED Nos.7 & 8
IN BOTH PETITIONS

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, MADURAI. ... RESPONDENT / COMPLAINANT
CRIME NO.17/2015. IN CRL.OP(MD)No.5616 of 2015
CRIME NO.18/2015. IN CRL.OP(MD)No.5618 of 2015

For Petitioner : M/S. V.KANNAN, ADVOCATE IN BOTH PETITIONS

For Respondent : MR.S.SHANMUGA VELAYUTHAM, PUBLIC PROSECUTOR,
ASSISTED BY M/S.K.V.RAJARAJAN,
GOVT. ADVOCATE (CRL. SIDE) IN BOTH PETITIONS

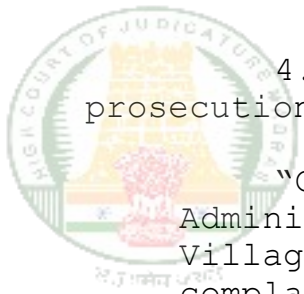
PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.(MD) No.5616 of 2015, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 447, 379, 420, 304(ii), 434 r/w 511 IPC, 3(i) of TNPPDL Act, 3(a), 4(a) of Explosive Substances Act, 4(1), 4(1)(a) and 21 of Mines and Minerals Development Regulation Act in Crime No.17 of 2015 on the file of the respondent police, seek bail.

2. The petitioners in Crl.O.P.(MD) No.5618 of 2015, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 447, 379, 420, 304(ii), 434 r/w 511 IPC, 3(i) of TNPPDL Act, 3(a), 4(a) of Explosive Substances Act, 4(1), 4(1)(a) and 21 of Mines and Minerals Development Regulation Act in Crime No.18 of 2015 on the file of the respondent police, seek anticipatory bail.

3. Heard learned counsel appearing for the petitioner in both petitions and Mr.S.Shanmuga Velayutham, learned State Public Prosecutor assisted by Mr.K.V.Rajarajan, learned Government Advocate, appearing for the State.



4. The facts of the case has been narrated by the prosecution as follows:

"On 31.01.2015 at 09.30 hrs Tr.S.Pandiyarajan, Village Administrative Officer of Ayyapatti Village i/c Thiruchunai Village, Melur Taluk, Madurai District has preferred a complaint that vide G.O.Ms.(3D) No.11, Industries (MMB 1) Dept. dt. 11.04.2003, the Government granted lease to one Solairajan to quarry Granites in Survey No.94/2 (P) (Northern Side) Parai Puramboku about 2.00.0 Hectares for a period of 10 years from 08.12.2003 to 29.12.2013. From that day onwards the A1 Accused Solairajan conspired and entered into an agreement with his friend Venkatasubbu and his son's V.Mohan, V.Murali quarried in the lease hold land engaging this petitioners and other accused as workers and trespassed into the adjacent Government Odasal Kulam in Survey No.94/1 adjacent to the lease hold area and illegally quarried granites and committed theft of 967.2 cubic meter of multi coloured granites and wrongfully gained themselves to the tune of Rs.46.05 Crores causing wrongful loss to the Government."

5. The petitioners, who were working as Supervisors and Servants, were granted anticipatory bail by this Court under orders in Crl.O.P.No.3854 of 2015 on 09.03.2015. As regards the petitioners in both petitions are concerned, even according to the prosecution, the petitioners were working as Labours under A1 to A4. Hence, this Court is inclined to grant anticipatory bail to them. 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 No.1, Madurai, 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 the petitioners shall appear before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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 petition for anticipatory bail stands dismissed.

sd/-
08/04/2015

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



TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, MADURAI.

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

+2. CCs to M/S. V. KANNAN, Advocate SR.No.17801 & 17802.

ORDER IN

CRL OP (MD) Nos.5616 & 5618 of 2015

Date :08/04/2015

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