



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

Friday, the Twenty Seventh day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.5752 of 2015

MR. M. MARIAPPAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP. BY THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.113/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.B.RAJESH SARAVANAN 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 offence punishable under Section 379 IPC and Section 21(i) of the Mines and Minerals Development and Regulations Act, 1957, in Crime No.113 of 2015 on the file of the respondent Police, seeks anticipatory bail.

2. It is alleged that when the de facto complainant was on patrolling duty, he found a vehicle driven by the petitioner, containing one unit of sand.

3. Learned Government Advocate (Crl.side) submits that there is no previous case as against this petitioner.

4. Considering the fact that the petitioner has no bad antecedents, 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 No.II, Kovilpatti, 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 06.30 pm for a period of two weeks and thereafter, as and when required for interrogation.

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

(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].

sd/-
27/03/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
 2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
 3. THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION, TUTICORIN DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.B.RAJESH SARAVANAN Advocate SR.No. 15338
- SR : 30.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.5752 of 2015
Date :27/03/2015