



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5910 of 2015

NATAYAN @ NATARAJAN

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
CUDDALORE NORTH POLICE STATION,
THENI DISTRICT.
CRIME NO.46/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.46 of 2015, on the file of the respondent police for offences under Sections 21(A) Mines and Mineral Act 1957 r/w 36(A) Mines and Minerals Act 1957 and 379 IPC, the petitioner is now before this Court seeking Anticipatory Bail.

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

3. It is the case of the prosecution that this petitioner is involved in illegally transporting $\frac{3}{4}$ unit of sand in his vehicle. A2 and A3, who were driver and cleaner of the Truck were arrested and released.

4. The learned Government Advocate submits that this petitioner is involved in a similar case, which is of the year 2011. Since A2 and A3 have been arrested and released on bail and vehicle of the petitioner was seized, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioner, but with conditions.

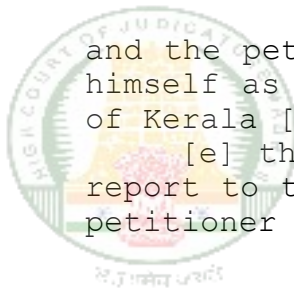
5. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, Theni District, on executing a separate bond for a sum 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 everyday at 06.30 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.

<https://hcservices.courts.gov.in/hcservices/> Each 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].

[e] the Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate as to whether the petitioner is complying with the condition or not.

sd/-

30/03/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

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

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, CUDDALORE NORTH POLICE STATION,
THENI DISTRICT.

+1CC to M/s.M.PITCHAI MUTHU, Advocate in SR.16585

ORDER IN

CRL OP(MD) No.5910 of 2015

Date :30/03/2015

PBK 06/04/2015 ::2P-6C: