



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

Thursday, the Ninth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6534 of 2015

KALIDASS@KANNAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP. BY THE SUB INSPECTOR OF POLICE
BODINAICKKANUR TOWN POLICE STATION,
BODINAICKKANUR, THENI DIST.
(CRIME NO. 172 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.GUHAN Advocate

For Respondent : M/S.K.V.Rajarajan Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of I.P.C. And 21(1) of Mines and Minerals Regularization Act, 1959 in Crime No.172 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused have transported sand of one unit in a tractor.

3. The learned counsel for the petitioner submitted that he is the owner of the tractor and he had no knowledge about the alleged sand theft. The driver of the tractor was already arrested and remanded to judicial custody.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner has not involved any offence of similar nature and the first accused was arrested and remanded to judicial custody.

4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif cum Judicial Magistrate, Bodinaickkanur, Theni District and on his executing 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 petitioner shall appear before the respondent police daily at 10.00 a.m. And 5.00 p.m. Until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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5. The petitioner 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/-
09/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO
1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, BODINAICKKANUR.
2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, THENI.
3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4 THE SUB INSPECTOR OF POLICE
BODINAICKKANUR TOWN POLICE STATION, BODINAICKKANUR, THENI DISTRICT.
+1. CC to M/S.K.GUHAN Advocate SR.No.18025.

TS/15.04.2015/2P-6C

ORDER
IN
CRL OP(MD) No.6534 of 2015
Date :09/04/2015