



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

Thursday, the Sixteenth day of April Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6943 of 2015

KALAIYAPPAN ... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
BODI RURAL POLICE STATION,
THENI DISTRICT,
(CRIME NO.128/2015). ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DHAYALAN, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. 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.1, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Section 379 of IPC r/w Section 21(1) Mines and Minerals Act in Crime No.128 of 2015 on the file of the respondent Police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 16.03.2015, the petitioner along with two other accused have involved in theft of sand worth of Rs.1000/-.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner is having two previous cases, which are similar in nature and the same were registered in the year 2012. It is further submitted that A2 and A3 were arrested and released on bail.



5. 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 Judicial Magistrate, Bodinayakanur, and on 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 morning 10 a.m. and evening 5 p.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
16/04/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, BODINAYAKANUR, THENI DISTRICT.

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

3 THE INSPECTOR OF POLICE, BODI RURAL POLICE STATION,
THENI DISTRICT,

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

+1. CC to M/S.S.DHAYALAN, Advocate SR.No.19669.

ORDER IN
CRL OP(MD) No.6943 of 2015
Date :16/04/2015

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