



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Friday, the Fifth day of June Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.9934 of 2015

T.MURUGAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
PULIVALAM POLICE STATION,  
TRICHY DISTRICT,  
(CR.NO.67 OF 2015).

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.HAJAMOHIDEEN Advocate

For Respondent : MR.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 A2, apprehends arrest at the hands of the respondent police for the alleged punishable under Sections 353 and 379 of I.P.C. r/w Section 21(b) of Mines and Minerals (Development and Regulation) Act, in Crime No.67 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the first accused owns a land in S.No.184/9B in T.Pudhupatti Village, Musuri Taluk, Trichy District and he without proper license from the authorities used explosive substance and also transported crusher stone without permission.

3. The learned counsel for the petitioner submitted that the first accused was already arrested and released on bail and the petitioner is only the driver of the tipper lorry. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4. It is submitted by the learned Government Advocate(Crl.Side) that the first accused without proper permission and license has transported crusher stone and he also used explosive substance. He further submitted that the first petitioner was already arrested and released on bail and



the petitioner/A2 is only a driver of the tipper lorry and he has no bad antecedent.

5. Considering facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thuraiyur 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 at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-  
05/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE  
TRICHY.
- 3 THE INSPECTOR OF POLICE  
PULIVALAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.HAJAMOHIDEEN Advocate SR.No.28255  
ORDER IN

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

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Date :05/06/2015

PA/KBM/08.06.2015/2P/6C