



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

Thursday, the Twenty Third day of June Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10000 of 2016

WEB COPY

1 KARUPPIAH
2 ARAVINTH
3 PANDI @ VEERAPANDIAN
4 SASI @ VEERASEKAR
5 GANESAN
6 KARUPPAIAH
7 PALANI
8 AYYAPPAN
9 VIJAY @ KALIMUTHU

... PETITIONERS/
ACCUSED NO.2,3,5,6,8,10 TO 13

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
S.P. PATTANAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 69 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.KARUNA Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

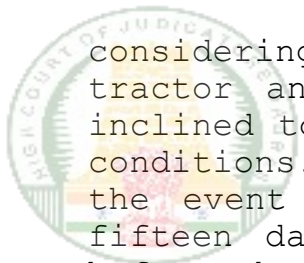
The petitioners, who are arrayed as Accused Nos.2,3,5,6,8 and 10 to 13 apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC read with Section 21 (1) of Mines and Minerals Development of Regulation Act, 1957, in Crime No.69 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 11.06.2016 at about 03.30 a.m. when the police party conducted vehicle check up, they intercepted a tractor having sand and arrested the accused. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The first petitioner is the owner of the tractor and the other petitioners are coolie workers and they are in now way connected with the alleged occurrence. Only on the confession of A.1, the petitioners are falsely implicated in this case.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that A.1 was arrested and remanded to judicial custody.

5.Considering the facts and circumstances of the case and also



considering the fact that the first petitioner is the owner of the tractor and other petitioners are coolie workers, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
23/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVADANAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE, S.P. PATTANAM POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S V.KARUNA Advocate SR.No.32616

ORDER
IN
CRL OP(MD) No.10000 of 2016
Date :23/06/2016