



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

Tuesday, the First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20753 of 2016

STALIN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.169 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

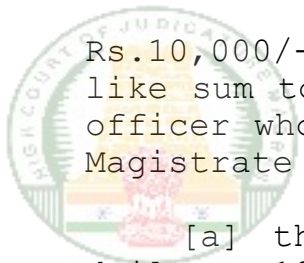
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC in Crime No.169 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner illegally transported sand.

3.It is submitted by the learned counsel for the petitioner that the petitioner has transported sand for the purpose of repairing his house and he is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner transported one unit of sand.

5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. 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, Cheranmahadevi, Tirunelveli District, on condition that the petitioner shall execute 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 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 daily at 10:30 am until further orders.

[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.

[d] On breach 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]**.

sd/-

01/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.64381

NBJ

CSL/CK/SAR-I/07.11.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.20753 of 2016

Date :01/11/2016