



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

Thursday, the Twenty Ninth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

CRL OP(MD) No.24077 of 2016

AYYAPPAN

... PETITIONER/4TH ACCUSED

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 328 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S C.SUSIKUMAR, ADVOCATE
FOR RESPONDENT : MR.P.KANDASAMY, GOVT. ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

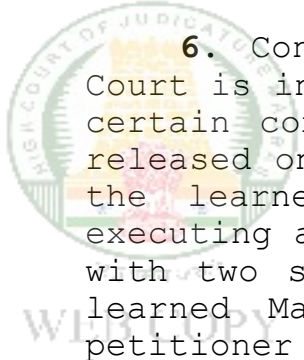
The petitioner, who is arrayed as A-4, in Crime No.328 of 2016, on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 I.P.C., r/w 21(1) of the Mines and Minerals (Development and Regulations) Act, 1951, and hence, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent / State.

3. The case of the prosecution is that on 12.12.2016, the *de facto* complainant found a TATA 407 Van bearing registration No.TN10 D3162 with two units of sand worth about Rs.3,000/- without any valid permission.

4. The learned Government Advocate (Crl.Side) submitted that the co-accused / A3 has been arrested and sent for judicial custody.

5. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence and he has nothing to do with present case and he has been falsely implicated in this case.



6. 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 No.V, Tirunelveli, 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 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. 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/-
29/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S C.SUSIKUMAR Advocate SR.No.83800

KRK/CM
TE/PM/SAR-I/30.12.2016 : 2P/6C

ORDER
IN
CRL OP(MD) No.24077 of 2016
Date :29/12/2016