

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Nineteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.7154 of 2017

1 PACHIYAPPAN
2 SUGUMAR
3 PRAKASH

[PETITIONERS / ACCUSED]

Vs

INSPECTOR OF POLICE ,
THAKKOALAM POLICE STATION,
VELLORE DISTICT.
CR.NO. 71 OF 2017.

[RESPONDENT]

For Petitioner : M/S.M.HARIBABU Advocate

For Respondent : MR. R.SEKAR, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 430 & 379 of IPC in Crime No.71 of 2017 on the file of the respondent police, seek the relief of anticipatory bail.

2. The case of the prosecution is that the petitioners have transported sand illegally by using JCB. Hence, a case had been registered.

3. The learned counsel for the petitioners submits that the petitioners are an innocent persons and they have been falsely implicated in this case. He would further submit that only the JCB had been recovered from the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the first accused had already been remanded and the petitioners are A2 to A4 and they were having three previous cases to their credit.

5. Considering the facts and circumstances of the case and there is no need for custodial interrogation in this case, this Court is inclined to entertain this petition.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Magistrate concerned within a period of 10 days from the date of receipt of a copy of this order, subject to the following conditions :-

(i) The petitioner shall deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five hundred only) to the credit of crime No.71 of 2017 on the file of the respondent-police and

(ii) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned **Judicial Magistrate, Arakkonam** or to the satisfaction of the respondent police or the police officer who intends to arrest and

(iii) The petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

-sd/-

19/04/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
ARAKKONAM

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE ,
THAKKOALAM POLICE STATION,
VELLORE DISTRICT.

CC to M/S.M.HARIBABU Advocate on payment of necessary charges
Sr.7181

CRL OP.7154/2017

Date :19/04/2017

rvr 21/04/2017