

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.8565 of 2017

IN

C.C.NO.261 OF 2015

[On the file of the learned Judicial Magistrate,
Ambur, Vellore District]

MURTHY @ SATHYAMURTHY

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
AMBUR TOWN POLICE STATION,
AMBUR, VELLORE DISTRICT.
CR.NO.395 OF 2014.

For Petitioner : M/S.M.DURAIMURUGAN Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioner apprehends arrest at the hands of the respondent police for the alleged offences under Section 379 and 430 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.395 of 2014 and seeks anticipatory bail.

3. The learned counsel appearing for the petitioner submits that the petitioner has not been served with any summons and charge sheet has been laid against him showing him in the absconding column and he had no knowledge about the case till police came to apprehend him under the guise of NBW.

4. The learned Government Advocate (Crl.side) though opposes this application concedes that the charge sheet has been laid showing the accused in the absconding column.

5. Considering the nature of the offence and the fact that no summons was served on the petitioner and absconding charge sheet has been laid as against the petitioner, this Court is inclined to grant Anticipatory Bail to the petitioner.

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, 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 Judicial Magistrate-II, Krishnagiri or to the satisfaction of the respondent police or the police officer who intends to arrest and shall appear before the respondent police daily at 10.30 a.m for two weeks and thereafter, as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

-sd/-
04/05/2017

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,
NO.II KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
AMBUR TOWN POLICE STATION,
AMBUR, VELLORE DISTRICT.

CC to M/S.M.DURAIMURUGAN Advocate on payment of necessary charges Sr.8300

CRL OP.8565/2017

Date :04/05/2017

rvr 05/05/2017