



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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13177 of 2017

1 RAJENDRAN
2 SENTHILKUMAR
3 MUTHUSAMY

... PETITIONERS / ACCUSED Nos.7,8,9

Vs

THE INSPECTOR OF POLICE
MANIKANDAM POLICE STATION,
TRICH DISTRICT ,
CR.NO.248/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.RAJESH Advocate

For Respondent : Mr.C.RAMESH, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners / accused Nos.7 to 9, who apprehend arrest at the hands of the respondent Police for the offences punishable under Section 379 IPC and 21(4) of Mines and Minerals Regulation Act, 1957 in Crime No.248 of 2017 on the file of the respondent Police, seek anticipatory bail.

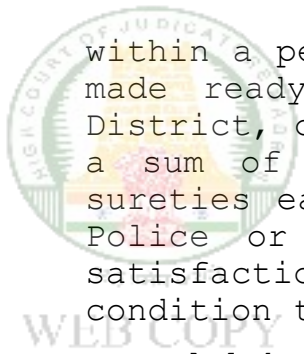
2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

3.The case of the prosecution is that the petitioners transported illegally river sand by using the vehicle.

4.The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they are innocent and they have been falsely implicated in this case.

5.The learned Additional Public Prosecutor submitted that investigation is yet to be completed and hence, he opposed for granting anticipatory bail.

6.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance,



within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.4, Trichy District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each 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 petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of fifteen days and thereafter, as and when required for interrogation.

[b]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioners 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 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)**.

sd/-
27/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.4, TRICHY
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY
- 3 THE INSPECTOR OF POLICE
MANIKANDAM POLICE STATION, TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to Mr.R.RAJESH Advocate SR.No.32002

JAM/03.10.17/CM-MSA/SAR 3/ 2P-6C

ORDER
IN
CRL OP(MD) No.13177 of 2017
Date :27/09/2017