



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

Monday, the Fourth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.11442 of 2017

SATHISH KUMAR

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
CRIME NO.362 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SHANMUGA SELVAM Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

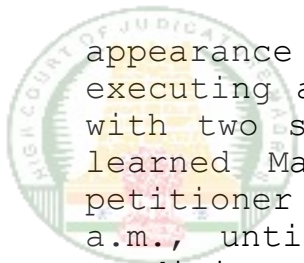
The petitioner, who is arrayed as A-2, in Crime No.362 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379, 294(b), 353, 506(i) of IPC r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957 and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to have transported the sand illegally by using lorry bearing Registration No.TN-28-K-2931.

3. The learned counsel for the petitioner would submit the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and as his name has falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there is no previous case against the petitioner herein and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering fact that there is no previous case against the petitioner, 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, Musiri 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., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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6. 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/-

04/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUSIRI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SHANMUGA SELVAM Advocate SR.No.29801

ORDER

IN

CRL OP(MD) No.11442 of 2017

Date :04/09/2017

MKV-PN-SAR 2/07.09.2017/2P-6C