



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.11733 of 2017

ARAVETTU @ PERUMALSAMY, ... PETITIONER / ACCUSED No.1

Vs

State rep.by
THE INSPECTOR OF POLICE,
SRIVILLIPUTUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
CRIME NO.540 OF 2017. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.ANANTHA MURUGAN 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 is an accused in Crime No.540 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 IPC and 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 alleged to have involved in a sand theft along with A.2 worth about Rs.1,500/- and hence, a case has been registered against the petitioner and A.2 by the respondent police.

3. Learned counsel for the petitioner submits that the petitioner is innocent and he is no way connected with the case as alleged by the prosecution. Further, he would submit that A.2 has already been released by the Judicial Magistrate No.II, Srivilliputhur vide its order in CrI.M.P.No.6232 of 2017 dated 30.08.2017. Hence, he prays for appropriate orders.

4. The learned Additional Public Prosecutor would submit that the investigation is pending.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Crl. Side) for the respondent/State and perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>
6. Considering the facts and circumstances of the case and also considering the nature of allegations levelled 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 Court No.II, Srivilliputtur, Virudhunagar District 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 petitioner shall report before the respondent police once in a week i.e. on every Monday at 10.30 a.m., until further orders. The petitioner shall comply with the conditions 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/-

04/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE,
SRIVILLIPUTUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.S.M.ANANTHA MURUGAN Advocate SR.No.30003

ORDER

IN

CRL OP(MD) No.11733 of 2017

Date :04/09/2017

SM:RR-BS:SAR 1:7.9.2017:2P/6C