



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

Wednesday, the Thirteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.12030 of 2017

STALIN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO. 208/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM 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/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C in crime No.208 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that on 23.10.2016 while the Sub-Inspector of Police, who is the defacto-complainant in this case gone to the place of occurrence, A1 and A3 are quarrying the ¼ unit of sand illegally by using Tractor. On complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is preferred to deposit the value of the alleged sand mentioned in the First Information Report i.e a sum of Rs.300/- to the credit of Crime No.208 of 2016 before the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are three named accused in this case and the petitioner herein is arrayed as A2. He would further that the Tractor along with sand was seized and the petitioner is having one previous case in similar nature of offence in Crime No.159 of 2016 on the file of the respondent police and the investigation is



5.Considering the facts and circumstances of the case and also considering the fact that the Tractor along with river sand was seized by the respondent police and that the counsel for the petitioner voluntarily agrees to deposit a sum of Rs.300/- (cost of sand) by the petitioner, to the credit of Crime No.208 of 2016, on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District, 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, Cheranmahadevi, Tirunelveli 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 the petitioner shall deposit a sum of Rs.300/-, to the credit of Crime No.208 of 2016, on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District and on further condition that the petitioner shall appear before the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District, daily at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
13/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAS HIGH COURT OF MADURAI BENCH, MADURAI.

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.30657

ORDER
IN
CRL OP(MD) No.12030 of 2017
Date :13/09/2017