



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.12041 of 2017

KANNAN

... PETITIONER /1ST ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHY DISTRICT,
CRIME NO.589 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.KUMARESAN Advocate

For Respondent : MR.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

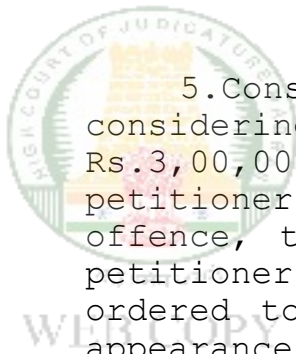
ORDER : The Court Made the following order :-

The petitioner/accused no.1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379, 506(i) of I.P.C r/w Section 21(4) of Mines and Minerals (Development and Resolution) Act, 1957 in crime No.589 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused transported the sand illegally worth about Rs.3,00,000/- illegally by using Swaraj Tractor bearing registration No.TN 55 AB 8454. The petitioner is the owner of the Tractor.

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 and his name has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are totally two accused in this case and the petitioner herein is arrayed as A1, who is the owner of the Tractor with trailer. He would further submit that the the Tractor along with red soil worth about Rs.3,00,000/- was seized by the respondent police. He further stated that the the petitioner is not having any previous case in the similar nature of offence and A2 was arrested and remanded to judicial custody and the investigation is still pending.



5.Considering the facts and circumstances of the case and also considering the fact that tractor along with red soil worth about Rs.3,00,000/- was seized by the respondent police and that the petitioner is not having any pervious case in the similar nature of offence, 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, Manapparai 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 learned Judicial Magistrate, Manapparai 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.

TRP/PSD
TO

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

+1. CC to M/S.B.KUMARESAN Advocate SR.No.30655

GJM/RR/BS/SAR-2-18.9.17-2P-6C

ORDER
IN
CRL OP(MD) No.12041 of 2017
Date :13/09/2017