



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.12772 of 2017

1 SARAVANAN @ RAMAN
2 KANTHAN @ KANTHAVEL
3 KANTHA

... PETITIONERS / ACCUSED Nos.2 to 4
Vs

The State rep.by
THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION, TIRUNELVELI,
TIRUNELVELI DISTRICT,
CRIME NO.290 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. S. MUTHUMALAI RAJA Advocate

For Respondent : Mr.K.S.Duraipandian, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners / accused 2 to 4, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 294(b), 506(ii) and 379 of IPC in Crime No.290 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 are said to have transported river sand illegally through lorry. The de facto complainant and his men prevented the petitioners. At that time the petitioners are said to have scolded and threatened the de facto complainant and his men.

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. However, considering the facts and circumstances of the case and also considering the overt act attributed against the petitioners, I am 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 before the learned Judicial Magistrate Court No.5, Tirunelveli, Tirunelveli District on executing 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 the petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of 15 days and thereafter, the petitioners shall report before the respondent Police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners 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/-
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.V, TIRUNELVELI, TIRUNELVELI DISTRICT
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION, TIRUNELVELI,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S. S. MUTHUMALAI RAJA Advocate SR.No.31592

ORDER

IN

CRL OP(MD) No.12772 of 2017

Date :27/09/2017

SM:RR-BS:SAR 2:4.10.2017:2P/6C