



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13326 of 2017

S.KRISHNASAMY

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
APPAYANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CR.NO. 88/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.PALKALAISELVAN Advocate

For Respondent : MR.C.RAMESH, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of I.P.C., Section 21 (1) Mines and Minerals Act, seeks anticipatory bail.

2.The case of the prosecution is that while the respondent police was on patrol duty, they intercepted the petitioner's vehicle, which was illegally transported two units of sand, without any valid permit. On complaint, case has been registered for the above said offences.

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

4.The learned Additional Public Prosecutor submitted that while the respondent police was on patrol duty, the petitioner was found in possession of two units of sand and the investigation is pending. He further submitted that there are two previous cases against the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature of the offence alleged, I am inclined to



grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail at the event of his arrest or on his appearance before the learned District Munsif cum Judicial Magistrate No.I, Sattur, Virudhunagar District, subject to the following stringent conditions:-

(i) The petitioner shall execute 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 District Munsif cum Judicial Magistrate No.I, Sattur, Virudhunagar District, and

(ii) The petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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/-
28/09/2017

/ TRUE COPY /

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

TA/PJL

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE NO.I,
SATTUR, VIRUDHUNAGAR DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE, APPAYANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.PALKALAISELVAN Advocate SR.No.31863

GJM/PM/PN/SAR-3-4.10.17-2P-6C

ORDER
IN
CRL OP(MD) No.13326 of 2017
Date :28/09/2017