



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

WEB COPY

PRESENT

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

CRL OP (MD) No.13426 of 2017

1 PONPANDI
2 KALYANI
3 BALAMURUGAN
4 AROKIYASAMY
5 KOMBAIAH

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
MUNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT
In Crime No.307/2017 ... RESPONDENT/COMPLAINANT

For Petitioner : Mr.M.JEGADEESH PANDIAN 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C., seek anticipatory bail.

2.The case of the prosecution is that while the respondent police was on routine check up, they found that the petitioners illegally transported one unit of river sand. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that while the respondent police was on routine check up the petitioners were found in possession of one unit of sand and the investigation is pending.



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 petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.V, Tirunelveli, subject to the following stringent conditions:-

(i) On such deposit the petitioners shall execute 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 learned Judicial Magistrate No.V, Tirunelveli, and

(ii) The petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of one week;

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

6. 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/-
28/09/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
MUNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT

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

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.32015

ORDER IN
CRL OP(MD) No.13426 of 2017
Date :28/09/2017

ta/pjl