



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15259 of 2017

RAMALINGAM

... PETITIONER/ACCUSED No.2

Vs

STATE,
THE INSPECTOR OF POLICE,
MAYANOR POLICE STATION,
KARUR DISTRICT.
CRIME NO.343 OF 2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.KANNAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 379 I.P.C., in Crime No.343 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 16.10.2017, the respondent police has registered a case against the petitioner and two others for illegal transaction of the river sand.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. However in order to show the *bona fide* of the petitioner, the learned counsel for the petitioner fairly conceded to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.343 of 2017 on the file of the learned Judicial Magistrate No.II, Kulithalai without prejudice to his defence before the trial Court.

<https://hcservices.court.gov.in/> The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that investigation is pending in this case.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned counsel for the petitioner that the petitioner would pay a sum of Rs.15,000/- (Rupees fifteen thousand only) to the credit of Crime No.343 of 2017 before the Judicial Magistrate No.II, Kulithalai, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, II, Kulithalai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) 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:

[a] the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) to the credit of Crime No.343 of 2017 before the Judicial Magistrate No.II, Kulithalai, without prejudice his defence before the trial Court and thereafter the learned Magistrate shall accept the sureties furnished by the petitioner.

[b] the petitioner shall report before the respondent Police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

(e) the petitioner shall not commit any offence while on bail;

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the bail granted stands cancelled automatically.

sd/-
09/11/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO II, KULITHALAI

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE CHIEF JUDICIAL MAGISTRATE, KARUR



3 THE INSPECTOR OF POLICE,
MAYANOR POLICE STATION,
KARUR DISTRICT.

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

+1. CC to M/S.V.KANNAN Advocate SR.No.34232

ORDER
IN
CRL OP (MD) No.15259 of 2017
Date :09/11/2017

PK/RR/SAR-4/13.11.2017 : 2P/6C