



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

Friday, the Twenty Fourth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1658 of 2017

1 KRISHNAPRABU

2 THANGAPANDI

... PETITIONERS/ACCUSED NOS.1 & 2

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
JEYAMANGALAM POLICE STATION,
JEYAMANGALAM,
THENI DISTRICT
CRIME NO. 47 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos. 1 and 2, in Crime No.47 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC r/w Section 22(1) of The Mines and Minerals (Development and Regulations) Act, 1957 and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The learned Government Advocate(Crl. Side) on instructions submitted that totally there are two accused in this case and the petitioners herein are arrayed as A-1 and A-2 respectively and they are brothers and they are owners of Tractor with Trailer, which was seized for transporting one unit of sand worth about Rs.1500/- illegally and the said Tractor with Trailer and the sand was seized by the respondent police and both petitioners ran away from the spot and investigation is still pending. He would further submit that the petitioner is having no previous case.

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

4. The learned counsel for the petitioners states that the



petitioners are innocents and they have been falsely implicated in this case and they are no way connected with the alleged crime.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are having no previous case and the vehicle along with sand was seized by the respondent police, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Theni, and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. 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/-
24/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE INSPECTOR OF POLICE
JEYAMANGALAM POLICE STATION, JEYAMANGALAM, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.LAWRANCE Advocate SR.No.10804
ORDER
IN
CRL OP(MD) No.1658 of 2017
Date :24/02/2017

CM
CSL/CM-MSA/SAR-III/28.02.2017 : 2P/6C