



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

Thursday, the Twenty Third day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.1937 of 2017

VANUMAMALAI

... PETITIONER/ ACCUSED NO.4

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

MUNNIRPALLAM POLICE STATION, MUNNIRPALLAM,

TIRUNELVELI DISTRICT

(IN CRIME NO. 2 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V. BALASUBRAMANIAN 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 :-

Petitioner/accused No.4, prays for the grant of anticipatory bail under Section 438 of Cr.P.C for the offences punishable under Sections 379 of I.P.C under Sections 21(1) Mines and Minerals (Development & Regulation) Act in Crime No.2 of 2017 on the file of the respondent police.

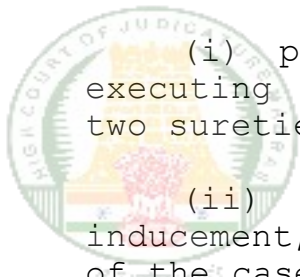
2. The case of the prosecution is that the petitioner along with other persons transported the red sand illegally with the help of two JCB and two lorries.

3. It is represented by the learned Government Advocate (Crl. Side) that investigation is almost completed and charge-sheet is yet to be filed.

4.The learned counsel for the petitioner submits that the petitioner is innocent and he is the driver of the vehicle and A-2 and A-3 in this case were already granted anticipatory bail.

4.Considering the facts and circumstances of the case and the submissions made and the stage of the investigation, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the Judicial Magistrate, No.5, Tirunelveli, within 10 days from the date of receipt of copy of the order,



(i) petitioner shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer;

(iii) petitioner shall appear before the learned Judicial Magistrate No.5, Tirunelveli daily at 10.30 a.m until further orders.

sd/-
23/02/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.5,TIRUNELVELI.

2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,TIRUNELVELI.

3.THE INSPECTOR OF POLICE
MUNNIRPALLAM POLICE STATION, MUNNIRPALLAM,
TIRUNELVELI DISTRICT

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

+1. CC to M/S.V. BALASUBRAMANIAN Advocate SR.No.10033

ORDER
IN
CRL OP(MD) No.1937 of 2017
Date :23/02/2017

MS/JM/SAR3/27.2.2017/2P.6C