



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.2000 of 2017

1 DEVARPIRAN @ DURAIYAPPA
2 DHASSAN

... PETITIONERS/ ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 41/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK 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 :-

Petitioners/accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Section 353 I.P.C and Section 3 of TNPPDL Act in Crime No.41 of 2017 on the file of the respondent police.

2.The case of the prosecution is that the the petitioners damaged the river bed in order to take sand.

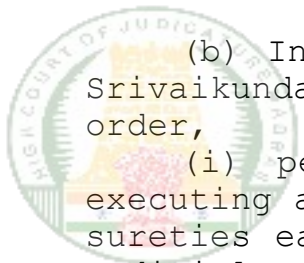
3.Learned Government Advocate (Crl. Side) would submit that the petitioners have no previous case and investigation is pending. He further submits that the petitioners' name are not mentioned in the F.I.R and the contraband has been seized.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case.

5. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

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

(a) in the event of arrest by or on appearance before the respondent police;



(b) In the event of appearance before the Judicial Magistrate, Srivaikundam, within 10 days from the date of receipt of copy of the order,

(i) petitioners 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 of the learned Judicial Magistrate, Srivaikundam;

(ii) petitioners 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) petitioners shall appear before learned Judicial Magistrate, Srivaikundam 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.

VS
TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM
- 2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.10281

GJM/BS/SAR-I-28.2.17-2P-6C

ORDER

IN

CRL OP(MD) No.2000 of 2017

Date :23/02/2017