



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

Tuesday, the Twenty Eighth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.2084 of 2017

ALAGARSAMY

... PETITIONER / ACCUSED NO.2

Vs

THE STATE THROUGH
INSPECTOR OF POLICE, ARUPPUKOTTAI TALUK
POLICE STATION, VIRUDHUNAGAR DIST.
(CR.NO.27/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.J.CHAKKRAVARTHY 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 petitioner, who is arrayed as A-2, in Crime No.27 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 I.P.C, seeks anticipatory bail.

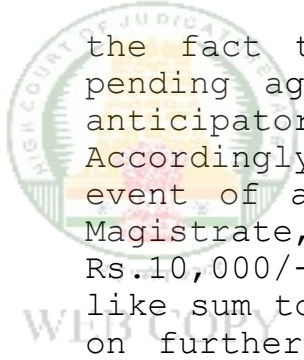
2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that totally there are two accused in this case and the petitioner herein is A-2, who is the owner of the tipper lorry, which is used for transporting 3 units of sand without any permission. He further submitted that A-1 in this case is a driver, who was arrested and released on bail by the concerned Judicial Magistrate. The tipper lorry along with sand was seized by the respondent Police. The petitioner has no previous case for the similar type of offence. Investigation is still pending.

4. The learned counsel for the petitioner states that the petitioner is innocent and he is not involved in this case.

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

5.Considering the facts and circumstances of the case and also



the fact that A-1 was released on bail and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Aruppukkottai and on his 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 petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner 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/-
28/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
ARUPPUKOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUTHUNAGAR DISTRICT

3 THE STATE THROUGH
INSPECTOR OF POLICE,
ARUPPUKOTTAI TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.C.J.CHAKKRAVARTHY Advocate SR.No.11423

VS

PSM/JM/SAR3/01.03.2017/2P/6C

ORDER
IN
CRL OP(MD) No.2084 of 2017
Date :28/02/2017