



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

Friday, the Tenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice **J.NISHA BANU**

CRL OP(MD) No.2620 of 2017

THANAGMARI

... PETITIONER/ACCUSED(Rank not known)

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.23/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNTH, Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

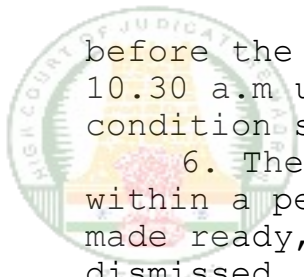
The petitioner, who apprehends arrest on the hands of the respondent police for the offences punishable under Section 379 of IPC and Section 21(v) of Mines and Minerals Act in Crime No.23 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the police personnel was on patrol duty, the petitioner along with other accused have illegally transported 1 unit of sand worth about Rs.1500/- without any valid permit.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the above said occurrence and there is no specific overt act attributed against the petitioner. He also submitted that the petitioner has been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl. Side) submitted that the petitioner has no previous case.

5.Considering the facts and circumstances of the case and considering the fact that no similar type of 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 No.I, Srivilliputhur 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 once in a week i.e., on every Monday 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.

WEB COPY

sd/-
10/03/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I
SRIVILLIPUTHUR.

2.THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4.THE INSPECTOR OF POLICE,
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.A.S.VAIGUNTH Advocate SR.No.13845

ORDER
IN
CRL OP(MD) No.2620 of 2017
Date :10/03/2017

JM/RSK SKN/SAR 2/14.03.2017/2P/6C