



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

Monday, the Twentieth day of March Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.3131 of 2017

KADALKANI,
S/O.AYYA NADAR, THANNER THOTTI STREET,
MANGUDI, SANKARANKOVIL TALUK,
TIRUNELVELI DISTRICT.

... PETITIONER / ACCUSED No.1

Vs

STATE REB BY
THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(IN CR.NO.60 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU 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 :-

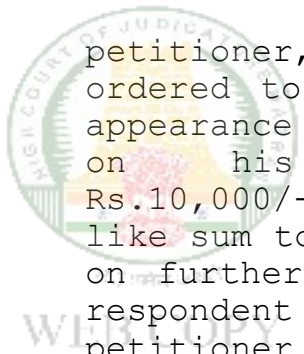
The petitioner, who is arrayed as A-1, in Crime No.60 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and hence, 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) on instructions submitted that this is a case of sand theft and the petitioner is the owner of the vehicle.

4. The learned counsel appearing for the petitioner submitted that the petitioner is only the owner of the vehicle and he is nothing to do with the alleged offence.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is the owner of the vehicle, 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, Rajapalayam 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/-
20/03/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTUR.

3 THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.G.MARIMUTHU Advocate SR.No.15840

ORDER
IN
CRL OP(MD) No.3131 of 2017
Date :20/03/2017

JM/SKN RSK/SAR 3/22.03.2017/2P/5C