



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

Tuesday, the Twenty Eighth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.3199 of 2017

1 BOOPATHY @ BOOPATHY RAJA
2 KANNAN

... PETITIONERS/ACCUSED NO.1 & 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SURANKUDI POLICE STATION,
VILATHIKULAM TALUK,
THOOTHUKUDI DISTRICT.
CRIME NO.18/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KA.RAAMAKRISHNAN Advocate

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

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

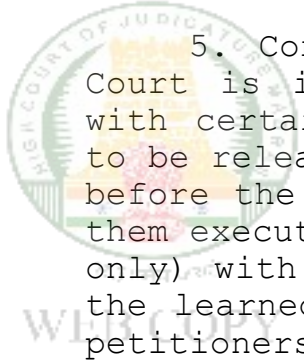
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-1 and A-3, in Crime No.18 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C and Section 21(1) of Mines and Minerals Act and hence, seek anticipatory bail.

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

3.The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners, who are the owner and driver of the vehicle, along with other accused said to have committed theft of one unit of sand. She further submitted that there was one previous case against the first petitioner in the year 2016 and thereafter no previous case is pending against him.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have nothing to do with the alleged offence and they have been falsely implicated in this case.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vilathikulam and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
28/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM , TUTICORIN DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN .
- 3 THE INSPECTOR OF POLICE
SURANKUDI POLICE STATION,
VILATHIKULAM TALUK, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KA.RAAMAKRISHNAN Advocate SR.No.18618

PM
CSL/PM-PN/SAR-III/04.04.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3199 of 2017
Date : 28/03/2017