



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

Friday, the Twenty Fourth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3508 of 2017

MARIMUTHU

... PETITIONER/ACCUSED NO.3

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
APPAIYANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO. 24/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PRASANTH Advocate

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

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

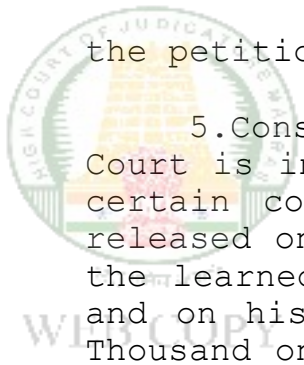
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A3, in Crime No.24 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 IPC r/w 21(1) of the Mines and Minerals (Development & 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 counsel for the petitioner submitted that it is alleged in the complaint that the petitioner along with the other accused illegally transported river sand in 18 bags in a two wheeler bearing Registration No.TN-67-AJ-8794. He would further submit that no one could transport such huge quantity of sand in a bike as alleged by the prosecution. In fact, the petitioner was proceeding in his two wheeler possessing empty bags. The petitioner has been falsely implicated in this case. He is innocent and he has not committed any offence as alleged in the complaint.

4.The learned Government Advocate appearing for the respondent / Police submitted that there is no previous case against



the petitioner. The investigation is pending.

5. Considering the facts and circumstances of the case, 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, Sattur, Virudhunagar District and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety for the like sum to the satisfaction of the learned Magistrate concerned and on further conditions that the petitioner shall appear before the respondent police as and when required for interrogation. 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/-
24/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SATTUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
APPAIYANAICKENPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GCG
CSL/BS/SAR-II/03.04.2017 : 2P/5C

ORDER
IN
CRL OP(MD) No.3508 of 2017
Date : 24/03/2017