



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

Monday, the Twenty Seventh day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.3570 of 2017

R.KOPPAIYAN

... PETITIONER/ACCUSED NO.4

Vs

STATE REP.BY,
THE SUB-INSPECTOR OF POLICE,
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.56 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

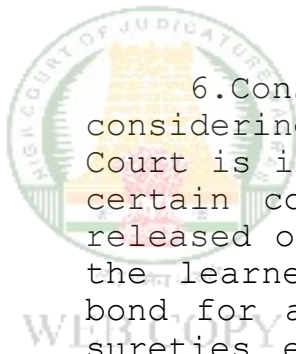
The petitioner, who is arrayed accused No.4 in Crime No.56 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 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 case of the prosecution is that on 19.03.2017, when the defacto complainant, who is working as a Sub Inspector of Police, was in vehicle check up, he found that the vehicle of the petitioner was used to transport sand without any license. Hence, the present complaint.

4.The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle and he has nothing to do with the alleged offence and he has been falsely implicated in this case.

5.The learned Government Advocate (Crl. Side) would submit that the petitioner is the owner of the vehicle and he has no previous case.



6.Considering the facts and circumstances of the case and also considering the fact that the petitioner has no previous 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, Sivakasi 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, for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.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/-
27/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE SUB-INSPECTOR OF POLICE,
M.PUDUPATTI 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.18036

RJ2
GJM/KKR/SAR-III/06.04.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3570 of 2017
Date :27/03/2017