



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

Wednesday, the First day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.458 of 2017

1 THANGAM

2 MUTHU KUMAR

... PETITIONERS / ACCUSED NO. 1 & 2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.6 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.JOTHI BASU Advocate

For Respondent : MR.P.KANDASAMY ,Govt. Advocate(Crl. Side)

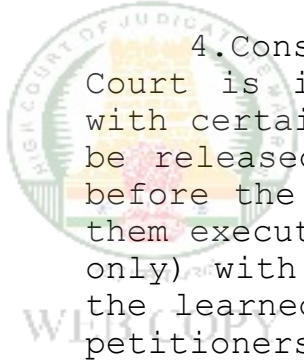
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 & 2, in Crime No.6 of 2017 on the file of the respondent police, apprehend 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 and hence, seek anticipatory bail.

2.The learned counsel appearing for the petitioners state that the petitioners are not really involved in this case and the case was registered against the petitioners only for statistical purpose.

3.The learned Government Advocate(Crl. Side) appearing for the respondent states that totally there are two accused in this case, who are the petitioner's herein. The first petitioner is the driver-cum-owner of JCB and the second petitioner is the owner of the Tractor and both JCB and Tractor were used for transporting $\frac{3}{4}$ unit of sand without any permit. The said JCB and the Tractor were seized. The value of the seized sand is Rs.2,500/- the petitioners have no previous case.



4.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, Rajapalayam 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., for a period of three weeks and thereafter as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5.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/-
01/02/2017

/ TRUE COPY /

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

TO

- 1.JUDICAIL MAGISTRATE,
RAJAPALAYAM
 - 2.-DO-THRO CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLPUTHUR.
 - 3.THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4.THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1cc to M/s.G.MARIMUTHU, Advocate in SR.NO.5600

AM
JS/CM/MSA/3.02.2017/2P-5C

ORDER
IN
CRL OP(MD) No.458 of 2017
Date :01/02/2017