



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

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP (MD) No.6354 of 2017

MAHESWARAN

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.457 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.M.ANANTHA MURUGAN Advocate

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

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

ORDER : The Court Made the following order :-

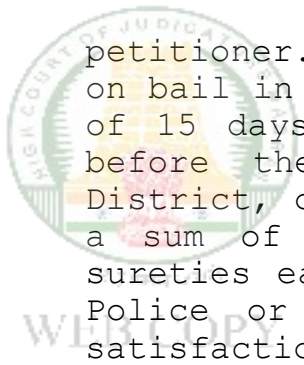
The petitioner /1st accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 379 IPC r/w Section 21(1) and 21(5) of Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.457 of 2017 on the file of the Respondent Police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent Police.

3.The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that there is no previous case against the petitioner.

5.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner, I am inclined to grant anticipatory bail to the



petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Sivakasi, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the Respondent Police once in a week i.e., on every Monday at 10.30 a.m., until further orders.

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioner shall not abscond either during investigation or trial.

[d]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-
24/05/2017

/ 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 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.ANANTHA MURUGAN Advocate SR.No.22683

GK
CSL/PN/SAR-I/25.05.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.6354 of 2017
Date : 24/05/2017