



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

Monday, the Fifth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6566 of 2017

1 RAMASAMY
2 KANNAN

... PETITIONERS / ACCUSED No's 2 & 4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT
CRIME NO. 126 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate

For Respondent : MR.A.RAMAR ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

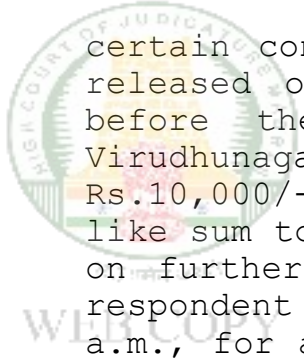
The petitioners, who are arrayed as accused in Crime No.126 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and Section 3(1) of Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992, and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent/State.

3.The learned counsel for the petitioners submitted that the petitioners are alleged to have transported half unit of sand without any valid permit or license. The petitioners are innocent. They have not committed any offence as alleged in the complaint. They have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent / Police submitted that no previous case is pending against the petitioners and that the investigation is pending.

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 No.II, Srivilliputhur, Virudhunagar District and 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 petitioner shall appear before the respondent police once in a week i.e., on every Monday at 10.30 a.m., for a period of four weeks. 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 shall stand dismissed.

sd/-
05/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.A.MOHAN Advocate SR.No.23343

ORDER
IN
CRL OP(MD) No.6566 of 2017
Date :05/06/2017

MKV-CM-MSA-SAR 2/9.6.2017/2P-6C