



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

Wednesday, the Seventh day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6798 AND 6801 of 2017

SELVAKUMAR @ OOSI

... PETITIONER/ACCUSED RANK - A2
IN BOTH THE PETITIONS

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

... RESPONDENT/COMPLAINANT
CRIME NO.360/2017 IN CRL OP(MD)No.6798/2017
CRIME NO.361/2017 IN CRL OP(MD)No.6801/2017

For Petitioner : M/S.S.MAHALINGAM Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

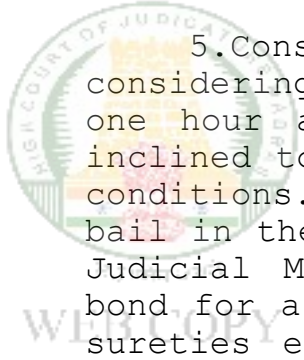
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2 in Crime Nos.360 and 361 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 that the petitioner illegally transported unit of sand.

4.The learned Additional Public Prosecutor on instructions would submit that there is one previous case against the petitioner and that the second case has been registered within one hour after the registering of the first case.



5.Considering the peculiar circumstances of the case and also considering the fact that the second FIR has been registered within one hour after the registering of the first FIR, 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.II, Srivilliputhur 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.

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/-
07/06/2017

/ 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 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION, SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC's to M/S.S.MAHALINGAM Advocate SR.No.23789 & 23790

RJ2
CSL/PM-PN/SAR-I/12.06.2017 : 2P/7C

ORDER
IN
CRL OP (MD) No.6798&6801 of 2017
Date :07/06/2017