



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

Monday, the Twelfth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.6877 of 2017

K.MAHALINGAM

... PETITIONER/ACCUSED 2

Vs

THE STATE OF TAMILNADU REP.BY,
THE INSPECTOR OF POLICE
PULIANGUDI POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.226/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.XAVIER RAJINI Advocate

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

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

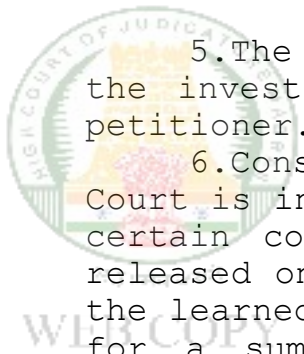
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-2, in Crime No.226 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, 353 and 307 of I.P.C. read with 21(1)(4) 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 when the respondent police were searching the vehicles, the petitioner was riding a Tractor bearing Registration No.TN 72 U 8102 and the owner cum another accused instructed the petitioner to kill the police and the petitioner attempted to kill them and stopped the vehicle and ran away and the respondent found that one unit sand was there in the vehicle without having any valid permission.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he has nothing to do with the commission of offence.



5.The learned Additional Government Pleader would submit that the investigation is pending and no previous case as against the petitioner.

6.Considering the facts and circumstances of the 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, Sivagiri 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 Judicial Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. 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/-
12/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TIRUNELVELI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PULIANGUDI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.XAVIER RAJINI Advocate SR.No.23919

ARUL
CSL/PM-PN/SAR-I/13.06.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.6877 of 2017
Date :12/06/2017