



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

Friday, the First day of September Two Thousand Seventeen

PRESENT

WEB COPY

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

CRL OP(MD) No.8894 of 2017

SELVAM,

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
KURUMBUR PS., TUTICORIN DISTRICT.
CR.NO.58 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : Mr.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR.

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

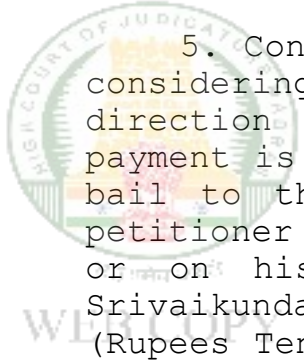
ORDER : The Court Made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 379 of IPC in Crime No.58 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have transported 2 unit of sand illegally.

3.The learned counsel appearing for the petitioner submitted that as per the order passed by this Court, dated 14.07.2017 the petitioner has paid a sum of Rs.1,000/- to the Legal Services Committee attached to this Bench and he has also filed a proof of payment.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that the petitioner herein is arrayed as A2 in this case and the anticipatory bail was granted including for the petitioner in CrI.O.P(MD).No.5450 of 2017, as per order dated 28.04.2017. Since the petitioner failed to appear before the concerned Court within the stipulated time, the present petition is filed second time seeking anticipatory bail by the second accused in this case on the same set of facts.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has complied with the direction issued by this Court dated 14.07.2017 and the proof of payment is also filed, 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, Srivaikundam 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 once in a week i.e on every Sunday at 10.30 am until further orders. 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/-
01/09/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SRIVAIKUNDAM.

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTICT.

3 THE INSPECTOR OF POLICE,
KURUMBUR PS., TUTICORIN DISTRICT.
CR.NO.58 OF 2017

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.30012

ORDER
IN
CRL OP(MD) No.8894 of 2017
Date :01/09/2017