



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

Monday, the Nineteenth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) Nos.5252 and 5248 of 2017

S.R.ASAITHAMBI

... PETITIONER/RANK NOT KNOWN
IN CRL OP (MD) No.5252 of 2017

K.M.FAUSID

... PETITIONER/RANK NOT KNOWN
IN CRL OP (MD) No.5248 of 2017

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.411 OF 2012

... RESPONDENT/COMPLAINANT

For Petitioner : MR.C.JEGANATHAN, Advocate for
M/S.VEERA ASSOCIATES (in both the petitions)

For Respondent : MR.A.RAMAR, Additional Public Prosecutor
(in both the petitions)

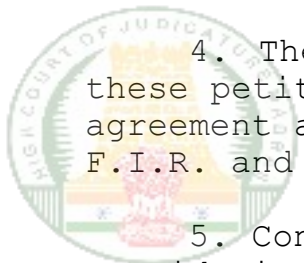
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, in Crime No.411 of 2012 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 447, 201 and 379 of I.P.C., and Sections 4(1)4 (2) (a) 4 (3) and 21(b) (5) of the Mines and Minerals (Development and Regulation Act), 1957 and Section 3(1) of TNPPDL Act and hence, seek anticipatory bail.

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

3. As per the F.I.R., the offence said to have taken place in the year 2005 and the case was registered in the year 2012 and the main accused had been granted anticipatory bail by this Court in Crl.O.P.(MD) No.4124 of 2013, dated 26.03.2013.



4. The learned counsel for the petitioners would submit that these petitioners are the power of attorney and the signatory of the agreement and the name of the petitioners does not find place in the F.I.R. and now they have been implicated in this case.

5. Considering the facts and circumstances of the case and also considering the fact that these petitioners are the power of attorney and the signatory of the agreement, 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, Melur, Madurai District and on 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 petitioners shall appear before the respondent police as and when required. 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 stands dismissed.

sd/-

19/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
OTHAKADAI POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

AKV

CSL/RR-BS/SAR-II/23.06.2017: 2P/5C

ORDER

IN

CRL OP(MD) No.5252 & 5248 of 2017
Date :19/06/2017