

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.26254 of 2018

1 BALAKRISHNAN
2 RAMACHANDRAN @ CHINNAPA
3 NATHAMUNY
4 LAKSHMI
5 VINITH
6 SUGANTHY

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
VELANKANNI POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.495 OF 2018

For Petitioner : M/S.J.JAWAHAR Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 379, 430, 420 of IPC r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 3(1) of TNPPDL, in Crime No.495 of 2018 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners, without any approval or licence from the Government, have taken sand from their pond and Agalangan Canal for their personal gain. Hence, a case has been filed as against the petitioners by the respondent police.

3.The learned counsel for the petitioner would submit that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, they pray for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners without any approval or licence from the Government, have illegally taken sand from their pond and Agalangan Canal for their personal gain. No other case is pending against the petitioners.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagapattinam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate / Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) Except the fourth petitioner, the other petitioners shall report before the respondent police daily at 10.30a.m until further orders.

-sd/-

15/11/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
VELANKANNI POLICE STATION,
NAGAPATTINAM DISTRICT.

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+1 CC to M/S.J.JAWAHAR Advocate on payment of necessary charges-
Sr.21505

CRL OP.26254/2018

Date :15/11/2018

ths : 16.11.2018



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