



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.4919 of 2018

KASI

... PETITIONER/ACCUSED No.3

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.
IN CR.NO.80 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.A.AJMALKHAN, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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.3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 379, 506(i) IPC and under Section 21 (1) of Mines and Minerals Act in Crime No.80 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The petitioner and other accused are said to have indulged in theft of sand. On instructions from the local V.A.O and the Tahsildar, the respondent police found that five tractors were carrying sand illegally without any permission. When the same was intercepted by the respondent police, the accused persons escaped from the spot with their tractors. Later, they were identified. Hence, the present case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any of the offence as alleged by the respondent.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that there is no previous case pending against the petitioner.



5. 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 Court, Nilakkottai, Dindigul District 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 as and when required for interrogation. The petitioner shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.A.AJMALKHAN Advocate SR.No.5237

ORDER
IN
CRL OP(MD) No.4919 of 2018
Date :02/04/2018

PK/RR/SAR-1/06.04.2018 : 2P/6C