



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

Friday, the Sixth day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.5393 of 2018

PRADEEP

... PETITIONER/ACCUSED No.1

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
LALAPET POLICE STATION,
IN CRIME NO.54 OF 2018.
KARUR DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARAVANAN, 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 apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 IPC r/w. Section 21(i) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.54 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 23.03.2018 at 2.30 a.m., during the Patrol duty, the respondent police found that the petitioner along with other accused carrying two bags of river sand in a two wheeler and when the respondent police intercepted them, the petitioner escaped from the scene of occurrence leaving behind the other accused. On complaint, a case has been registered for the abovesaid offence.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that the petitioner was involved in similar offence earlier and opposed grant anticipatory bail to the petitioner.



5. Taking note of the quantity involved and the fact that the stolen property has been recovered, 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 No.I, Kulithalai, 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
06/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KULITHALAI, KARUR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
LALAPET POLICE STATION, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SARAVANAN Advocate SR.No.5623

ORDER
IN
CRL OP(MD) No.5393 of 2018
Date : 06/04/2018

PK/RR-CSL/SAR-3/10.04.2018 : 2P/6C