



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

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.5387 of 2018

1 KATHIRAVAN
2 AATHIAPPAN

... PETITIONERS/ ACCUSED 1 &2

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.131 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

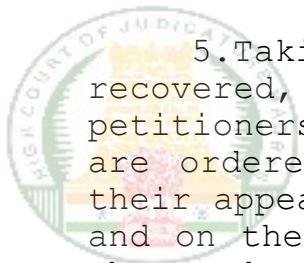
ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 (Sand theft) IPC r/w., in Crime No.131 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the respondent police went for a usual vehicle check up, at that time, they found that the petitioners were carrying ½ unit of sand in a Tractor and when the respondent police intercepted them, the petitioners escaped from the scene of occurrence. On complaint, a case has been registered for the abovesaid offence.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) submitted that no previous case pending against the petitioners.



5. Taking note of the fact that the stolen property has been recovered, 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, Shengottai, and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions 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 shall stand dismissed.

sd/-
09/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SHENGOTTAI, TIRUNELVELI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.5725

CSL/CM-VR/VK/13.04.2018 :2P/6C

ORDER
IN
CRL OP(MD) No.5387 of 2018
Date :09/04/2018