



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.5730 of 2018

1 MANIKANDAN
2 DHANARAAMAN

... PETITIONERS / ACCUSED Nos.1&2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
IN CR.NO. 185/2018,
TIRUNELVELI DISTRICT ,

... RESPONDENT / COMPLAINANT

For Petitioners : MR.M.SUBASH BABU Advocate

For Respondent : Mr.A.ROBINSON, 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 Sections 379 I.P.C., r/w 21(i) of Mines and Minerals Act, in Crime No.185 of 2018, on the file of the respondent police, seek anticipatory bail.

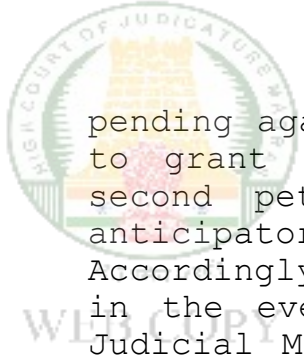
2. The case of the prosecution is that, based on secret information, the respondent police visited the place at Leppaikudirupu, wherein, the petitioners illegally transporting the river sand in tractor and that the defacto complainant seized one unit of river sand. Hence, the case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioners.

4.It is submitted by the learned Government Advocate (Criminal side) that there is previous case registered against the 1st petitioner/A1 herein.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Taking note of the fact that there is previous case is



pending against the first petitioner/A1, this Court is not inclined to grant anticipatory bail to the first petitioner. In respect second petitioner/A2 herein, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Valliyoor, 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 second petitioner shall appear before the respondent police as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.The second 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/-
11/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.5957

KSA
JAM/16/04/2018/ PMI /SAR 4 / 2P-6C

ORDER
IN
CRL OP(MD) No.5730 of 2018
Date :11/04/2018