



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7546 of 2018

SUNDARAM @ SUNDAR

... PETITIONER / ACCUSED No.2

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT ,
IN CR NO. 85 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.BALAMURUGAN Advocate

For Respondent : Mr.M.ASOKAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

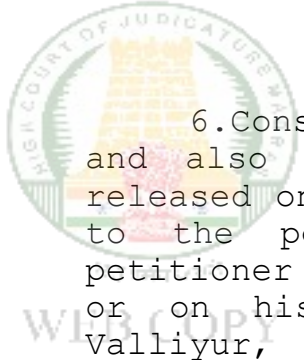
The petitioner, who is arrayed as second accused, in Crime No.85 of 2018 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C and hence, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The allegation against the petitioner is that he has committed sand theft.

4.On the side of the petitioner, it is stated that the petitioner is only arrayed as A-2, who is the driver of the vehicle. The first accused was already arrested and released on bail on 16.04.2018 itself and hence, requested that the petitioner may be released on anticipatory bail.

5.The learned Government Advocate (Crl. Side) admitted that there is no previous case against the petitioner and the tractor involved in the offence was already seized and the co-accused was already released on bail.



6. Considering the fact that the petitioner is only the driver and also considering the fact that the co-accused was already released on bail, 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, Valliyur, 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 daily at 10.30 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 stands dismissed.

sd/-
03/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISSTRATE,
VALLIYUR, TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT

3 THE SUB INSPECTOR OF POLICE
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.BALAMURUGAN Advocate SR.No.8193

vs

JAM/08/05/2018/ CM /GSR / 2p-6c

ORDER
IN
CRL OP(MD) No.7546 of 2018
Date :03/05/2018