



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

Tuesday, the Sixteenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CRL OP(MD) No.18784 of 2018

1 ESAKKISATHYAKANTH @ ESAKKIMUTHU,
2 IYYAPPAN
3 VADIVEL

... PETITIONER / ACCUSED NO.4,5 & 6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALWARKURUCHI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME.NO.278/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.Mr.N.SARAVANAN ,ADVOCATE FOR MATHURAM LAW
ASSOCIATES Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

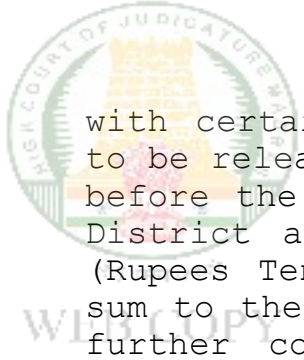
The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 of I.P.C., and Mines and Minerals Act in Crime No. 278 of 2018, seek anticipatory bail.

2. The case of the prosecution is that on 22.09.2018 at around 06.00 hrs., morning, the defacto complainant/Sub-Inspector of Police, Alwarkuruchi Police Station were patrolling near the main road, at that time, the first petitioner was illegally trying to transport the sand by using two wheeler bearing registration No.TN 76 AW 3114. Hence, a case has been registered.

3.Heard the learned counsel appearing for the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the sand was recovered by the respondent police.

5. Considering the facts and circumstances of the case, 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, Ambasamuthiram, Tirunelveli District 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 daily at 10.30 a.m. until further orders. 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/-
16/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.N.SARAVANAN, Advocate for MATHURAM LAW ASSOCIATES
Advocate SR.No.19817

PS/PN/SAR-4;22/10/2018:2P/6C

ORDER
IN
CRL OP(MD) No.18784 of 2018
Date :16/10/2018