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

Tuesday, the Sixteenth day of October Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.18780 of 2018

1 MUTHARASU
2 KARUNANIDHI ... PETITIONERS / ACCUSED NO.A2 & A5

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
THIRUCHUZHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.170/2018) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.S.RAJESWARI 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 apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 I.P.C r/w. 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.170 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 02.09.2018, when the de-facto complainant conducting the usual check-up, at that time, he came to know the accused persons were illegally trying to transport the river sand by using vehicle. Hence, the respondent police registered a case against the petitioner herein.

3.The learned counsel appearing for the petitioner would submit that the petitioners are nothing to do with any of the offence as alleged by the de-facto complainant.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the quantity of sand involved in this case is 2 1//2 units.

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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, Aruppukottai 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. and thereafter 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/-
16/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE,
THIRUCHUZHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.A.S.RAJESWARI Advocate SR.No. 19851

ORDER
IN
CRL OP(MD) No.18780 of 2018
Date :16/10/2018

tsg
JM/PN/SAR 4/22.10.2018/2P/6C

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