



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

Friday, the Twenty Ninth day of March Two Thousand Nineteen

WEB COPY

PRESENT

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

CRL OP(MD) No.4610 of 2019

KARUPPUSAMY

... PETITIONER / 1st ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.172/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

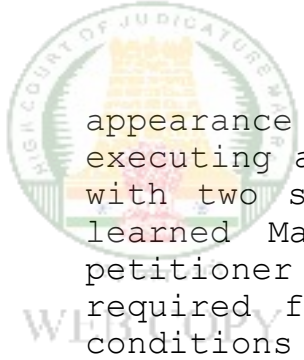
The petitioner is apprehending arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.172 of 2018, seeks anticipatory bail.

2. Heard the learned counsel on either side.

3. The occurrence had taken place on 29.07.2018. More than eight months have elapsed. It is also seen that the petitioner is not having any previous case.

4. The learned counsel appearing for the petitioner on instruction undertakes to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the concerned Mineral Foundation Trust. This deposit will be unconditional, and shall not be refundable. Even if the petitioner is acquitted, the said amount shall not be returned to the petitioner. Of course, this act of deposit will not construed as an admission of guilt. The Court below shall decide the case against the petitioner independently.

5. Subject to these conditions, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his



appearance before the learned Judicial Magistrate, Karaikudi, and 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
29/03/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
- 3 THE INSPECTOR OF POLICE,
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. M.S.JEYAKARTHIK Advocate SR.No.5839

COPY TO:

THE CHAIRMAN/DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
SIVAGANGAI DISTRICT.

ORDER
IN
CRL OP(MD) No.4610 of 2019
Date :29/03/2019

JM/PN/SAR 4/05.04.2019/2P/7C