



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

Date : 03/09/2019

PRESENT

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

CRL OP (MD) . No.11804 of 2019

U.Zahir Hussain

... Petitioner/Rank not known

Vs

State represented by,
The Inspector of Police,
Elumalai Police Station,
Madurai District,
Cr No.207/2019.

... Respondent/Complainant

For Petitioner : M/s. R. Sundar,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.207/2019 on the file of the respondent police .

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 379 of IPC r/w 21(5) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.207 of 2019, seeks anticipatory bail.

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

3.The petitioner is not named in the first information report. The main accused were arrested and they were illegally transporting sand quarry from the Government land. Based on their confession, only the petitioner is now sought to be implicated.

4.The petitioner's stand is that he is sought to be falsely implicated. In the confession, it has been stated that the petitioner is authorised to quarry the sand in question. The



petitioner is not having any bad antecedent. But his wife is a Tahsildar. The possibility of false implication cannot be ruled out.

5. Taking note of the facts and circumstances, 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 Court, Usilampatti, Madurai District 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 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/09/2019

/ TRUE COPY /

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

TO

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

+1. CC to M/S. R. SUNDAR Advocate SR.No.14877

ORDER IN
CRL OP (MD) No.11804 of 2019
Date : 03/09/2019

SJI

PK/VR/SAR-1/10.09.2019 : 2P/6C

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