



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/06/2020

PRESENT

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

CRL OP(MD) . No.5978 of 2020

1. Nepoliyan
2. Chandramohan
3. Sundharraj
4. Sundaravel

... Petitioners/Accused Nos.2 to 5

Vs

The State rep.by
The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District (Crime.No. 16 of 2020).
... Respondent/Complainant

For Petitioners : M/s.P.Saravana Kumar,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime.No. 16 of 2020 on the file of
the Respondent Police

ORDER : The Court made the following order :-

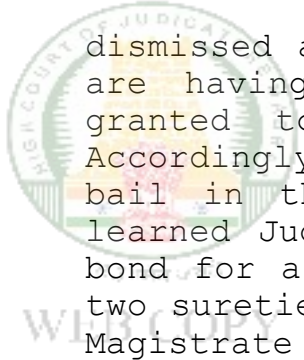
Heard the learned counsel appearing for the petitioners and
the learned Government Advocate(Crl.Side) appearing for the
respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 379
I.P.C. and Section 21 (1) of Mines and Minerals (Development and
Regulation) Act, 1957 in Crime No. 16 of 2020, on the file of the
respondent police, seek anticipatory bail.

3. The quantity of contraband is rather high, however, the
primary allegations are only against the first accused, whose remand
was said to have not been accepted by the learned jurisdictional
Magistrate.

4.The learned Government Advocate points out that the first
petitioner herein is having bad antecedents.

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5. Therefore, I am not inclined to grant any relief to the
first petitioner. Hence, this Criminal Original Petition stands



dismissed as regards the first petitioner. The petitioners 2 to 4 are having no bad antecedents, therefore, anticipatory bail is granted to the petitioners 2 to 4 with certain conditions. Accordingly, the petitioners 2 to 4 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vilathikulam 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 2 to 4 shall appear before the respondent police as and when required for interrogation. The petitioners 2 to 4 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 2 to 4 shall appear before the concerned Magistrate within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
11/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER
IN
CRL OP(MD) No.5978 of 2020
Date :11/06/2020

SDS / SKN / SAR-2 (16.06.2020) 2P-5C

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