



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

Friday, the Thirtieth day of August Two Thousand Thirteen

PRESENT

The Hon`ble Ms.Justice R.MALA

CRL OP(MD) No.14556 of 2013

1 KADARKARAI
2 PETCHIMUTHU

... PETITIONERS / ACCUSED NO. 1 & 2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
SANKARANKOVIL TOWN POLICE STATION,
SANKARANKOVIL, CRIME NO. 349 OF 2013.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.PERUMAL Advocate

For Respondent : MR. A.P. BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

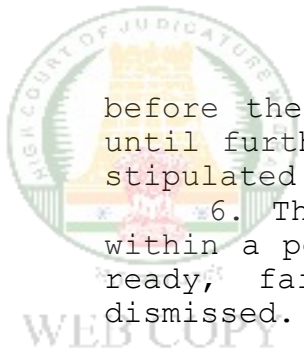
The petitioners are arrayed as A1 and A2 and they apprehend arrest at the hands of the respondent police for the the alleged offence punishable under Section 379 of I.P.C., in Crime No.349 of 2013 on the file of the respondent police and hence, seek bail.

2. The learned counsel for the petitioners would submit that the case of the prosecution is that the petitioners were illegally taken red sand from Government Odai Poramboke in Tractor without any valid licence. He would further submit that the petitioners are innocent persons and they have been falsely implicated in this case and no previous case is pending against the petitioners and hence, he prays for enlargement on anticipatory bail.

3.The learned Government Advocate (criminal side) would fairly concede that there is no previous case pending against the petitioners, however, since the investigation is going on, he prays for dismissal of this application.

4. Considering the rival submissions made by both sides and also considering the fact that there is no previous case pending against the petitioners, and the investigation is considerably over, I am inclined to grant bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail, in the event of their arrest or on their appearance before the learned Judicial Magistrate, Sankarankovil, and on 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 petitioners shall appear



before the learned Judicial Magistrate concerned daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition 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 stands dismissed.

sd/-
30/08/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL
 - 2 Do Thro' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI
 - 3 THE INSPECTOR OF POLICE
SANKARANKOVIL TOWN POLICE STATION,
SANKARANKOVIL,
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- +1. CC to M/S.V.PERUMAL Advocate SR.No.43209
- ARUL
MM/02.09.2013/2P-6C/

ORDER
IN
CRL OP(MD) No.14556 of 2013
Date :30/08/2013