



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

Monday, the Thirtieth day of December Two Thousand Thirteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23658 of 2013

AZHAGESAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
RAYAPPANPATTY POLICE STATION,
THENI DISTRICT.
CRIME NO.243 OF 2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.AK.AZAGARSAMI Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

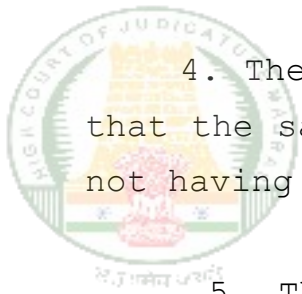
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as A1 and apprehending arrest at the hands of the respondent police, for the alleged commission of offences punishable under Sections 4(1-a) r/w 21 of Mines and Mineral Development Act and Section 379 IPC, in Crime No.243 of 2013 on the file of the respondent police, seeks bail. The alleged occurrence is said to have been committed on 19.12.2013.

2. The case of the prosecution is that the respondent police on 19.12.2013, found 1/2 units of sand without license in the Tractor bearing registration No.TN-29-Y-7597 and hence, arrested the driver of the vehicle and seized the vehicle.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the vehicle and he is falsely implicated in this case for statistical purpose and he has nothing to do with the alleged commission of offences.



4. The learned Government Advocate (Criminal Side) would submit that the sand as well as vehicle were seized and the petitioner has not having bad antecedents.

5. This Court, taking into consideration of the above facts and circumstances of the case, enlarges the petitioner on anticipatory bail 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, Uthamapalayam, 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 petitioner shall report before the respondent police daily at 11.00 a.m. for a period of two weeks and thereafter, as and when required by the respondent police. 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 stands dismissed.

sd/-
30/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.
- 3 THE INSPECTOR OF POLICE, RAYAPPANPATTY POLICE STATION, THENI DT.
- 4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.AK.AZAGARSAMI Advocate SR.No.32

ORDER

IN CRL OP (MD) No.23658 of 2013

Date :30/12/2013