



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

Monday, the Ninth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12699 of 2017

1 V.KRISHNAN
2 S.SIVAKUMAR
3 K.SATHISHKUMAR
4 K.PARAMASIVAM
5 K.VISVANATHAN
6 G.BALASUBRAMANIYAN
7 T.THANGAVEL

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
THOTTIYAM POLICE STATION, TRICHY DISTRICT,
(CRIME NO.388/2017)

... RESPONDENT / RESPONDENT

For Petitioners : M/S.A.SENTHIL KUMAR Advocate
For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

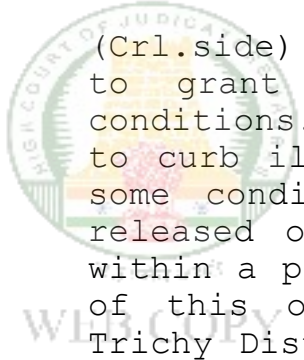
The petitioners, who are arrayed as accused rank not known, apprehend arrest at the hands of the respondent police for the offence punishable under Section 379 I.P.C r/w 21 (1) of Mines and Minerals Act & 3 of PPDL Act in Crime No.388 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Ravi, S/o.Kumaran has running the stockyard illegally in private land SR.No.70/2V and he received the said sand from bullock cart persons and making loss to the government at the time of spot inspection some of the vehicles were seized. Thereby, a case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that the vehicles were seized by the respondent police and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.side) that the investigation is still pending, I am inclined to grant anticipatory bail to the petitioners with certain conditions. In view of increasing sand mining activities, in order to curb illegal sand mining activities, it is necessary to impose some conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiry, Trichy District, on condition that each petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall deposit a sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred only) to the credit of Crime No.388 of 2017 before the learned Judicial Magistrate, Musiry, Trichy District, without prejudice to his defence before the trial Court.

(ii) the petitioners shall report before the respondent police daily at 10.00 a.m and 05.00 p.m., for a period of four weeks and thereafter, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-

09/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUSIRY, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12699 of 2017

Date :09/10/2017