



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

Tuesday, the Thirteenth day of June Two Thousand Seventeen

PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

CRL OP (MD) No.7116 of 2017

A.SAIMAN

... PETITIONER / 4<sup>th</sup> ACCUSED

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE,  
ELAYANGUDI POLICE STATION,  
SIVAGANGAI DISTRICT.  
CR.NO.149/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.ANTONY ARUL RAJ Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

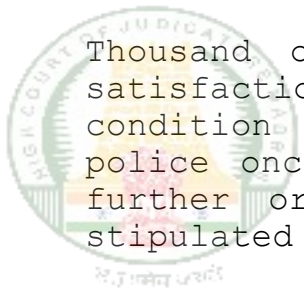
The petitioner, who is arrayed as A-4, in Crime No.149 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 21(1) of Mines and Minerals(Development and Regulation) Act, 1957 and 379 of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned Additional Public Prosecutor on instructions submitted that the petitioner along with other accused illegally transported sand(savadu sand). He further submitted that the petitioner is the owner of the land and vehicle.

4.The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the patta land where the sand is unearthed and there is no quarrying.

5.Considering the facts and circumstances of the case, 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, Elayankudi, Sivagangai 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 once in a week ie., on every Monday at 10.30 a.m., until further orders. The petitioner shall comply with the condition 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/-  
13/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No.24055

ORDER  
IN  
CRL OP(MD) No.7116 of 2017  
Date :13/06/2017

MKV-CM-MSA-SAR 4/15.6.2017/2P-6C