



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

**The Hon`ble Mr Justice B.PUGALENDHI**

**CRL OP(MD) No.22964 of 2018**

PANDIYARAJAN

... PETITIONER / ACCUSED  
(RANK NOT KNOWN)

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
ARANTHANGI POLICE STATION,  
PUDUKKOTTAI DISTRICT.  
(CRIME NO.431 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.LENIN KUMAR, Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC r/w Sections 21(1) and 21(2) of Tamil Nadu Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.431 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons were indulged in illegal sand mining by engaging a JCB.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the respondent State.

4. According to the petitioner, the co-accused have already obtained anticipatory bail from this Court on condition that the accused shall deposit a sum of Rs.45,000/- to the credit of District Mineral Foundation Trust of the concerned District.



5.The learned Government Advocate (Crl.Side) would submit that the petitioner has voluntarily surrendered, since he is apprehending arrest at the hands of the respondent police. Further, he has to verify whether the co-accused have deposited the amount as directed by this Court in Crl.O.P.(MD)No.20281 of 2018.

6.Considering the facts and circumstances of the case and also considering the fact that the co-accused released on bail, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Aranthangi and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Magistrate concerned subject to the condition that the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only). Provided if the co-accused have deposited the amount as directed by this Court, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) and on further condition that the petitioner shall appear before the respondent police as and when required for the purpose of interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.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 shall stand dismissed.

sd/-  
27/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,  
ARANTHANGI.

2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE,  
TUDUKOTTAI DISTRICT.



3 THE INSPECTOR OF POLICE,  
ARANTHANGI POLICE STATION,  
PUDUKKOTTAI DISTRICT.

4 THE CHAIRMAN/DISTRICT COLLECTOR,  
DISTRICT MINERAL FOUNDATION TRUST,  
PUDUKKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to MR.T.LENIN KUMAR Advocate SR.No.24073.

ORDER  
IN  
CRL OP(MD) No.22964 of 2018  
Date :27/12/2018

AMS/JC/S-4/04.01.2019/3P/7C