



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

Thursday, the Thirtieth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15445 of 2018

R. KULANTHAIVEL,

... PETITIONER / ACCUSED NO.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION,
KARUR DT.
CR.NO.404 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MATHIYALAGAN Advocate

For Respondent : MRS.M.ANANTHA DEVI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 21(1)(a)(b) Mines and Minerals (Development and Regulation) Act 1957 r/w 379 of IPC in Crime No.404 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was conducting usual checkup, at that time, he came to know that two accused persons were illegally trying to transport river sand in a lorry bearing registration number TN 37 CQ 5000 and they have arrested A1 and A2. The petitioner herein/ A3 has escaped from the occurrence place. Hence, the respondent police registered a case.

3.The learned Government Advocate (Crl.side) states that there is no previous case is pending against the petitioners herein.



4. In view of the rehabilitation undertaken under the Tamil Nadu District Mineral Foundation Rules, 2017, and in order to curb the illegal sand mining activities, this Court is of the opinion that the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust, without prejudice to her rights and contentions before the trial Court.

5. Considering the facts and circumstances of this 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 No.II, Karur 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 as and when required for interrogation. 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 shall stand dismissed.

sd/-
30/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3 THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION, KARUR DT.



4 THE OFFICER IN CHARGE
DISTRICT MINERAL FOUNDATION TRUST,
KARUR.

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

+1. CC to M/S.R.MATHIYALAGAN Advocate SR.No.16503

ORDER

IN

CRL OP(MD) No.15445 of 2018

Date :30/08/2018

TR/JC/SAR-2 (05/09/2018) 3P/7C