



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

Wednesday, the Twelfth day of September Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.16380 of 2018

SELVARAJ

... PETITIONER / ACCUSED NO.3

Vs

STATE REPRESENTED BY,  
THE INSPECTOR OF POLICE,  
PERUMALPURAM POLICE STATION,  
IN CRIME NO.246 OF 2018,  
TIRUNELVELI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.SUSI KUMAR, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

**ORDER** : The Court Made the following order :-

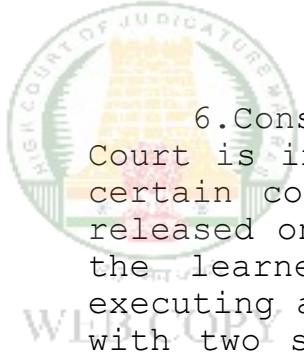
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 IPC r/w 4 (1) (1A), 4 (2), 21(1) and 21 (v) of Mines and Minerals Act, in Crime No.246 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that when the complainant was conducting usual checkup, at that time, he came to know that the accused person was illegally trying to transport the 3 1/2 unit of river sand and found that there is no permit for transporting the sand. Hence, the respondent police registered a case.

3.Heard the learned counsel for the petitioner.

4.The learned Additional Public Prosecutor states that there is no previous case is pending against the petitioner herein.

5.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.



6.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.I, Tirunelveli, 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.

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/-  
12/09/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.I,  
TIRUNELVELI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI.
- 3.THE INSPECTOR OF POLICE  
PERUMALPURAM POLICE STATION,  
TIRUNELVELI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**COPY TO :**

THE OFFICER INCHARGE,  
THE DISTRICT MINERAL FOUNDATION TRUST,  
TIRUNELVELI.

+1. CC to M/S.C.SUSI KUMAR Advocate SR.No.17573.

ORDER  
IN  
CRL OP(MD) No.16380 of 2018  
Date :12/09/2018