



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

Thursday, the Eleventh day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.18189 of 2018

1.RAMAI AH
2.PILLIAYAR
3.GANESAN
4.RAVI

... PETITIONERS/ ACCUSED 1,2,4 & 5
Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KARIVALAMVANTHA NALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.304 OF 2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.D.VENKATESH Advocate

For Respondent : MR.V.NEELAKANDAN,
Additional Public prosecutor

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

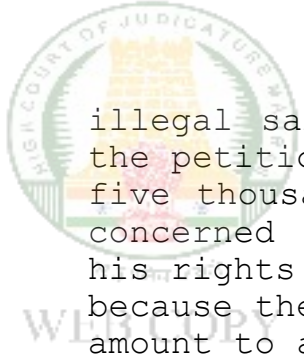
ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 I.P.C. r/w 21 (1) (4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.304 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the accused persons had transported the sand illegally by using Tractor bearing Registration No.TN 76 W 4865. Hence, a case has been registered.

3.Heard the learned counsel appearing for the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the quantity of sand involved is ¼ unit and the same was recovered.



illegal sand mining activities, this Court is of the opinion that the petitioners are directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust, without prejudice to his rights and contentions before the trial Court. 6. Merely, because the petitioners have deposited the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

7. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners shall deposit a sum of Rs.5,000/- (Rupees five thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sankarankovil and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-
11/10/2018

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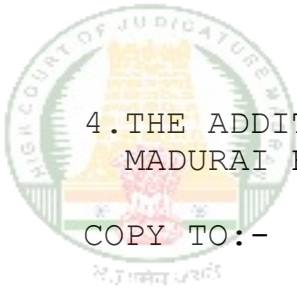
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
SANKARANKOVIL

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

3. THE INSPECTOR OF POLICE,
KARIVALAMVANTHA NALLUR POLICE STATION,
TIRUNELVELI DISTRICT.



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

COPY TO:-

THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
TIRUNELVELI DISTRICT

+1. CC to MR.D.VENKATESH Advocate SR.No.19635

ORDER
IN
CRL OP (MD) No.18189 of 2018
Date :11/10/2018

AE/RR/SAR11/16.10.2018/3P/7C