



was granted permission by the Thasildhar, Ambasamudiram for the purpose of putting up storage yard in Survey No.843, South Kallidaikurichi Village for storing mines weighing about 41,996 cbm. Permission was also granted to the accused to transmit the above said minerals. Apart from the above permitted field, the accused was also managing other survey numbers about 280 acres. Since the above said survey numbers claimed to farm ponds, 7 ponds have been formed. About 600 units has been taken from the ponds. No permission was obtained for farming the above said ponds. The sand has been processed and has been sold away. No machinery was also installed by the above accused person for the purpose of manufacturing the M-sand. About 11, 146 units of sand has also been lifted. So for the above said complaint, he made allegation that the accused Manivel George has lifted sand without proper permission and licence and also by processing the same, sold away. Based upon which, the above said case has been registered originally by CCB, Tirunelveli and on the basis of the order of this court passed in WP(MD) Nos.11057 and 15312 of 2020, dated 20/07/2021, later, it has been taken over by the CBCID (SIT), Tirunelveli. But during the course of investigation, so many materials have been collected and the accused persons namely Manivel George went absconding. Later, he filed the anticipatory bail before this court in CrI.OP(MD) No.14887 of 2021 and in that petition, interim anticipatory bail has been granted to the 1st accused on the ground that for the past 1-1/2 years, no arrest has been made upon the accused person.

3.During the course of investigation, several persons have been implicated in this case. The petitioners were arrested on 05/02/2022 and are in judicial custody. Seeking bail, this petition came to be filed by these petitioners.

4.The learned counsel for the petitioners would submit that the petitioners are the members of the diocese and they have only leased out their land for conducting quarry operation, that this Court has already granted anticipatory bail to the main accused/A1 and also to the accused A16, A23 and A25, that the accused A13 and A24 were already arrested and released on bail and that the petitioners are all residents of Kerala and they have not nothing to do with the alleged quarry operation conducted by the said persons.

5.It is not in dispute that this Court in petitions for anticipatory bail filed by the first accused and other accused, who are the lessees, granted the anticipatory bail on condition that they have to deposit a sum of Rs.20,00,000/- to the credit of Crime No.2 of 2021 before the concerned Court.

6.Considering the facts and circumstances of the case and also fact that the first accused and the other accused have already been granted anticipatory bail by this Court that the petitioners, who are the residents of Kerala, are the members of diocese, that they



stated by the learned counsel for the petitioners and confirmed by the learned Additional Public Prosecutor and also taking note the fact that the petitioners are in custody from 05.02.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tirunelveli.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioners 1 to 4 shall report before the respondent police daily at 10.30 a.m until further orders.

(iii) the petitioners 5 and 6 shall report before the respondent police as and when required for interrogation.

iv) the petitioners shall not tamper with evidence or witness.

v) the petitioners shall not abscond during trial.

vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
15/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE - I,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
CB-CID SOUTH, TIRUNELVELI

4 THE OFFICER INCHARGE,
SUB JAIL, NANGUNERI, TIRUNELVELI.

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

+1 CC to Mr.F.DEEPAK, Advocate (SR-1126[I] dated 15/02/2022)

ORDER

IN

CRL OP(MD) No.3241 of 2022

Date :15/02/2022

DAS

MK/MS/SAR.I/15.02.2022/4P/7C