

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.11520 of 2016

Selvakumar

.. Petitioners

Vs

The State rep by
The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
(Crime No.210/2016)

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to modify the condition of deposit of Rs.1,00,000/- imposed in Crl.M.P.No.931 of 2016 in Crime No.210 of 2016 order dated 25.05.2016 by the Hon'ble Vacation Sessions Judge, Dharmapuri.

For Petitioner : Mr.A.Ilaya Perumal

For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to modify the conditional order dated 25.05.2016 in Crl.M.P.No.931 of 2016 passed by the Vacation Sessions Judge, Dharmapuri.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that the petitioner is an accused in Crime No.210 of 2016 for offences under Section 379 IPC read with Section 21[1][4] of Mines and Minerals Act, 1957, apprehending arrest at the hands of the respondent-police, filed Crl.M.P.No.931 of 2016 under Section 438 Cr.P.C. before the learned Vacation Judge, Dharmapuri. The learned Sessions Judge, by order dated 25.05.2016, granted anticipatory bail to the petitioner, on condition that he should deposit a sum of Rs.1,00,000/- to the satisfaction of the Judicial Magistrate, Palacode, subject to certain other conditions. Aggrieved by the condition of deposit of Rs.1,00,000/-, the petitioner is before this Court.

4. This Court does not find any serious infirmity in the order passed by the Sessions Judge, inasmuch as the petitioner is

alleged to have illegally mined sand to a tune of Rs.1,20,000/-. It is stated by the learned counsel for the petitioner that his vehicle has been impounded by the authorities.

5. Taking into consideration all these factors, this Court is of the view that it will serve the interest of justice, if the condition of deposit reduced to Rs.50,000/- and accordingly, this petition for modification is ordered. Rest of the conditions imposed by the Sessions Judge shall remain the same. Two weeks time is extended from the date of receipt of a copy of this order for surrendering, furnishing sureties and depositing the amount.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

gya

To

1.The Principal Sessions Judge,
Dharmapuri.

2.The Inspector of Police,
Palacode Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.A. Ilayaperumal, Advocate, Sr. 30971

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