



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

Wednesday, the Twenty Seventh day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.10585 of 2018

1 NALLATHAMBI
2 DEVAPRAKASAM

... PETITIONERS/ACCUSED No.3 & 4

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.18/2018.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.PRABU Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

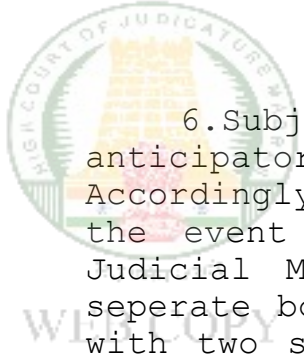
The petitioners, apprehending arrest at the hands of the respondent police for the offence punishable under Section 379 I.P.C. in Crime No.18 of 2018, seek anticipatory bail.

2.Heard the learned counsel for the petitioners.

3.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the second petitioner is having one previous case, which is similar in nature.

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 petitioners are directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) to the credit of the concerned District Mineral Foundation Trust, without prejudice to their rights and contentions before the trial Court.

5.Merely, because the petitioners have deposited the said amount, it would not amount to admission of their guilt. Therefore, it is open to the trial Court to deal with the case independently.



6. Subject to this condition, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kovilpatti, and on their executing a separate 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 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.

7. 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/-
27/06/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI
- 2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
NARAIKINARU POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THOOTHUKUDI DISTRICT

+1. CC to M/S.M.PRABU Advocate SR.No.11633

ORDER
IN
CRL OP(MD) No.10585 of 2018
Date :27/06/2018