



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

Friday, the Twenty Ninth day of June Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.10751 of 2018

1 K.KANNAN

2 K.MAHENDRAN

... PETITIONERS/ACCUSED No.1 & 2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
VATHALAI POLICE STATION,
TRICHY
CRIME No.86 of 2018

... RESPONDENT/COMPLAINANT

For Petitioners : Mr.R.MAHESWARAN 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 apprehend arrest at the hands of the respondent Police for the offences under Sections 379 of I.P.C and Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.86 of 2018.

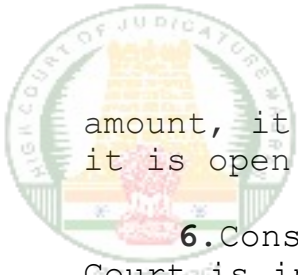
2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent.

3.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioners are having two previous cases, which are also similar in nature.

4.In view of the rehabilitation undertaken under the Tamil Nadu 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.10,000/- (Rupees Ten Thousand only) jointly to the credit of the concerned District Mineral Foundation Trust, without prejudice to their rights and contentions before the trial Court.

<https://hcservices.ecourts.gov.in/hcservices/>

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. Considering the facts and circumstances of the case, 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, Musiri 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.

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/-
29/06/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MUSIRI
- 2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
VATHALAI POLICE STATION, TRICHY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

Copy to:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TRICHY DISTRICT

+1. CC to M/S.R.MAHESWARAN Advocate SR.No.11738

ORDER
IN
CRL OP(MD) No.10751 of 2018
Date :29/06/2018