



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

Wednesday, the Twenty Fifth day of July Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.12785 of 2018

RAJESHWARI

... PETITIONER/ACCUSED No.3

Vs

THE STATE REP.BY ITS.,
THE INSPECTOR OF POLICE,
KEELATHOVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CR NO. 65 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.SIVA RAMA KRISHNAN, Advocate

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

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

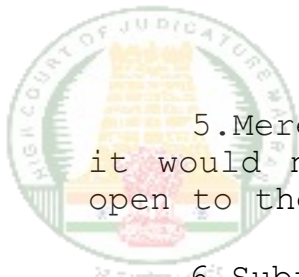
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent Police for the offences under Sections 379, 430 I.P.C and Section 21 (1) of MMDR Act in Crime No.65 of 2018 and seeks anticipatory bail.

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

3.It is seen that the petitioner's husband viz., Accused No.2 in this case was arrested. The vehicle in question stands in the name of the petitioner and that is why, he came to be implicated in this case. Taking note of this aspect, this Court is inclined to grant anticipatory bail to the petitioner.

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 petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the concerned District Mineral Foundation Trust, without prejudice to her rights and contentions before the trial Court. The petitioner even if acquitted from the case shall not ask for refund of the said amount.



5. Merely, because the petitioner has 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.

6. Subject to this aforesaid condition, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Mudukulathur and on her executing a 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
25/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR, RAMANATHAPURAM DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
KEELATHOVAL POLICE STATION, RAMANATHAPURAM DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE OFFICER-IN-CHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
RAMANATHAPURAM DISTRICT

+1. CC to MR.S.JEYAKARTHIK, Advocate SR.No.14318

ORDER
IN
CRL OP(MD) No.12785 of 2018
Date : 25/07/2018