



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

Saturday, the Eleventh day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.14234 of 2018

MAHENDRAN

... PETITIONER / ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
(IN CRIME NO. 118 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.SARAVANAKUMAR Advocate

For Respondent : MR.OHM CHAIRMAPRABHU,
Government Advocate(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehending arrest at the hands of the respondent police for the offences punishable under Section 379 IPC r/w 21(1) of Mines and Minerals Act in Crime N.118 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The learned Additional Public Prosecutor opposes for grant of anticipatory bail by pointing out the bad antecedents of the petitioner.

3. The learned counsel for the petitioner undertakes that he would remit a sum of Rs.7500/- to the District Mineral Foundation Trust.

4.Even if the petitioner is acquitted, this amount will not be returned. Merely because the petitioner has made this remittance, it would not amount to an admission of guilty. The trial court will independently decide the issue on merits.

5.Considering the facts and circumstances of the case and considering the fact that the quantity of sand involved is 1 unit,



this Court is inclined to grant anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Sattur, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
11/08/2018

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, SATTUR
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGER DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.P.KALAIYARASI BHARATHI, Advocate SR.No.15419

ORDER
IN
CRL OP(MD) No.14234 of 2018
Date :11/08/2018

CM
AE/JC/SAR4/26.10.2018/2P/6C