



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

Friday, the Thirty First day of August Two Thousand Eighteen

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PRESENT

THE HON`BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) No.15512 of 2018

M.DINESH,

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
TOWN EAST POLICE STATION, THANJAVUR,
THANJAVUR DISTRICT. (CR.NO.260/2018) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SHANMUGANATHAN Advocate

For Respondent : MRS.ANANTHA DEVI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

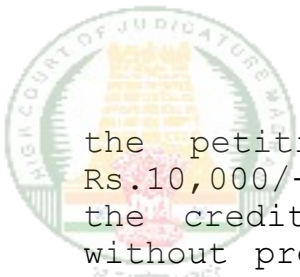
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 I.P.C r/w Section 21 (1) of Mines and Mineral (Development and Regulation) Act, 1957 in Crime No.260 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant was conducting ride, it was found that the petitioner was indulged in illegal sand quarrying and ran away from the place of occurrence on seeing the police officials.

3.Heard the learned counsel appearing for the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner has involved in three other cases, which are not similar in nature.

5.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 jointly a sum of Rs.10,000/- (Rupees ten thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust, without prejudice to their rights and contentions before the trial Court.

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6. 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.

7. Considering the facts and circumstances of this case, 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 his appearance before the learned Judicial Magistrate No.I, Thanjavur and on his 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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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/-

31/08/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMPAKONAM.



3 THE INSPECTOR OF POLICE,
TOWN EAST POLICE STATION, THANJAVUR,
THANJAVUR DISTRICT.

4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE OFFICER IN CHARGE
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR.

+1. CC to M/S.P.SHANMUGANATHAN Advocate SR.No.12034

ORDER
IN
CRL OP(MD) No.15512 of 2018
Date :31/08/2018

TR/VR MMS/SAR-2 (07/09/2018) 3P/7C