



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

Friday, the Thirty First day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15560 of 2018

1 PANNEERSELVAM

2 M. KILLER

3 MANTHIRAMOORTHY

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY.ITS,
THE INSPECTOR OF POLICE,
SOORANKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 47 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.THIRUVADI KUMAR Advocate

For Respondent : Mrs.M.ANANTHA DEVI 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 punishable under Sections 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.47 of 2018, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant and the police officials was in surveillance, it was found that the petitioners had indulged in illegal sand quarrying.

3.Heard the learned counsel appearing for the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that five units of sand was seized.

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.25,000/- (Rupees twenty five 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.



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 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, Vilathikulam and on their 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 petitioners 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 petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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/-

31/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE ,VILATHIKULAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SOORANKUDI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THOOTHUKUDI DISTRICT.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.16677
PS/RR.SAR-1:10/09/2018:2P/7C

ORDER

IN

CRL OP(MD) No.15560 of 2018

Date :31/08/2018