



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

Wednesday, the Twelfth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16355 of 2018

VIJAYAKUMAR @ VIJI

... PETITIONER / ACCUSED NO.1

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
KALAYARKOIL POLICE STATION,
IN CRIME NO. 321 OF 2018,
SIVAGANGAI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.G.ARJUNAN Advocate

For Respondent : MR.M.ASOKAN
Govt. Advocate (Crl. Side)

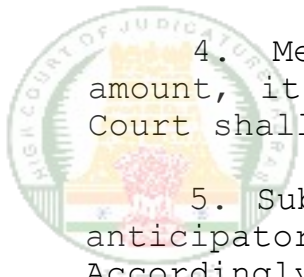
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC., and Section 21 (i) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.321 of 2018, seeks anticipatory bail.

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

3. The petitioner's earlier anticipatory bail petition was dismissed considering the quantity of the contraband. The learned counsel for the petitioner now submits that the petitioner did not have any bad antecedents and he is ready to deposit a sum of Rs.5,000/- to the credit of the concerned District Mineral Foundation Trust. Accordingly, the petitioner is directed to deposit the said amount to the concerned District Mineral Foundation Trust, without prejudice to his rights and contentions before the trial Court. The said amount shall not be refunded, even if the petitioner is acquitted.



4. Merely, because the petitioner has deposited the said amount, it would not amount to admission of his guilt. The trial Court shall deal with the case independently.

5. Subject to this 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 his appearance before the learned Judicial Magistrate No.I, Sivagangai, 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.

7. 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/-
12/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO I
SIVAGANGAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
 - 3 THE INSPECTOR OF POLICE
KALAYARKOIL POLICE STATION, SIVAGANGAI DISTRICT.,
 - 4 THE OFFICER IN CHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
SIVAGANGAI DISTRICT
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.G.ARJUNAN Advocate SR.No.17449

ORDER
IN
CRL OP(MD) No.16355 of 2018
Date :12/09/2018