



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.K.ILANTHIRAIYAN

CRL OP(MD) No.16390 of 2018

RAGUL RETHINAKUMAR

... PETITIONER/ACCUSED No.1

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
BHOODHALUR POLICE STATION,
THANJAVUR DISTRICT
CRIME NO.153 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.PITCHAI MUTHU, Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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 Section 379 IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.153 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that when the complainant was conducting usual checkup, at that time, he came to know that the accused person was illegally trying to transport the 1 unit of sand and found that there is no permit for transporting the sand. Hence, the respondent police registered a case.

3.Heard the learned counsel for the petitioner.

4.The learned Additional Public Prosecutor states that there is no previous case is pending against the petitioner herein.

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 petitioner is directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust, without prejudice to her rights and contentions before the trial Court.



6.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, Thiruvaiyaru, Thanjavur District, 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 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/-
12/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
BHOODHALUR POLICE STATION, THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

+1. CC to MR.M.PITCHAI MUTHU, Advocate SR.No.17431

ORDER
IN
CRL OP(MD) No.16390 of 2018
Date :12/09/2018