



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

Wednesday, the Twelfth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.16407 of 2018

1 MANIKANDAN

2 KASIMYAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 530 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.MITHUNCHAKRAVARTHI Advocate

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

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

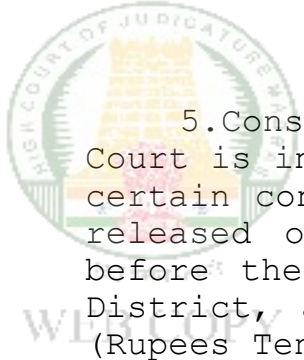
ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 304(2) and 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and Section 3 (1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act 1992 in Crime No.530 of 2018, seek 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 persons were illegally trying to transport sand. Hence, the respondent police registered a case.

3.Heard the learned counsel on either side.

4.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 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 their rights and contentions before the trial Court.



5. 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 No.I, Usilampatti, Madurai District, 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 as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
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,
USILAMPATTI, MADURAI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI DISTRICT.

PS/PN/SAR-1:25/09/2018:2P/6C

ORDER
IN
CRL OP(MD) No.16407 of 2018
Date :12/09/2018