

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL MISCELLANEOUS PETITION No.1924 of 2019

IN CRL OP.765/2019

BASKAR @ BASKARAN

[PETITIONER]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
VAIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT,
CR.NO.177 OF 2018.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the condition imposed upon the petitioner in Crl.O.P.No.765 of 2019 dated 21.01.2019 in Cr.No.177 of 2018 viz 'the petitioner shall deposit a sum of Rs.45,000/- only as non-refundable deposit to the credit of the concerned District Mineral Foundation Trust' as the petitioner shall deposit a sum of MR. R.SURYA PRAKASH, GOVERNMENT ADVOCATGE [CRL.SIDE].15,000/-only as non-refundable deposit to the credit of the concerned District Mineral Foundation Trust'

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.K.M.SUBRAMANIAM, Advocate for the petitioner and of MR. M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This petition has been filed seeking to modify the condition imposed by this Court in Crl.O.P.No.765 of 2019 for the offence punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals Act 1957 in Crime No.177 of 2018, while granting anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. The learned counsel for the petitioner would submit that the petitioner is from a very poor agricultural family and he was

unable to pay such huge amount of Rs.45,000/- for non-refundable deposit. Hence, the petitioner finds very difficult to comply with the condition imposed by this Court and he prayed to modify the condition.

4. The learned Additional Public Prosecutor appearing for the State would submit that the quantity of sand involved is 3 units. He would further submit that the petitioner shall deposit a sum of Rs.45,000/- (Rupees Forty Five Thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust.

5. Taking into consideration the nature of the allegation and the submissions made by the learned Additional Public Prosecutor, this Court is not inclined to modify the condition. However, this Court is inclined to extend the time to the petitioner to deposit the amount on or before 18.02.2019, failing which, the Anticipatory Bail granted by this Court shall stand automatically cancelled without any reference to the Court.

6. Accordingly, this Criminal Miscellaneous Petition stands disposed off.

-sd/-
13/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO. I, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VAIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

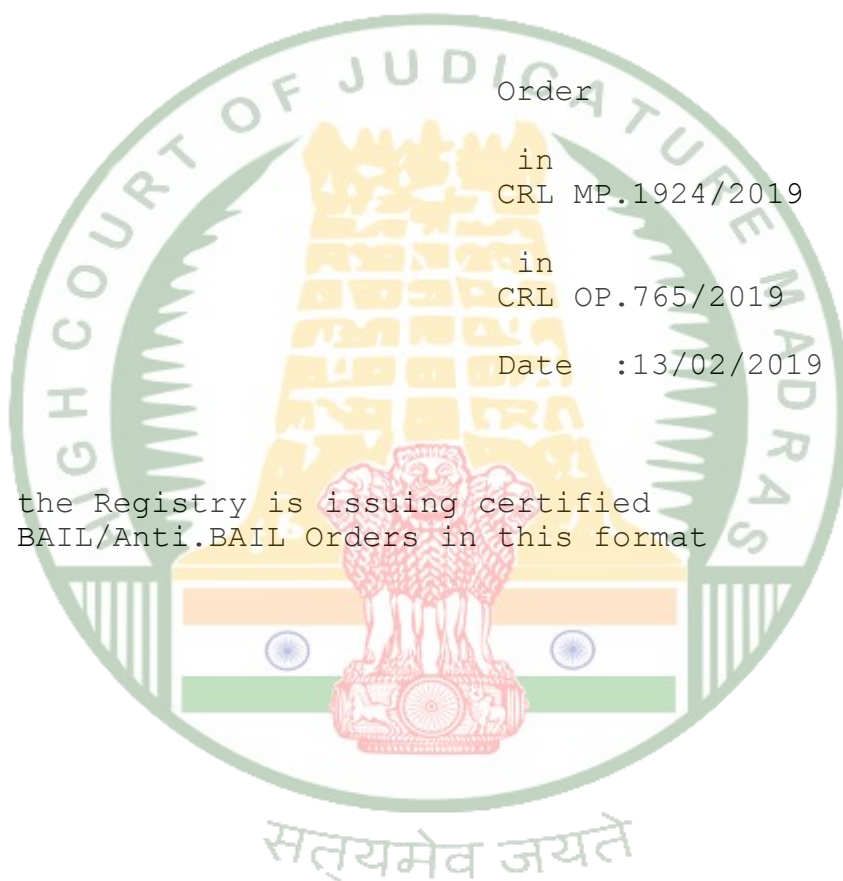
5 THE DISTRICT MINERAL FOUNDATION TRUST,
NAGAPATTINAM DISTRICT.

+1 C.C. to M/S.K.M.SUBRAMANIAM Advocate on payment of necessary
charges in SR.NO. 3116

Order
in
CRL MP.1924/2019
in
CRL OP.765/2019
Date :13/02/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MLT-14/02/2019



WEB COPY