

M.DHANDAPANI,J.

The matter is listed today under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner.

2. It is submitted by the learned counsel for the petitioner that earlier this Court by an order dated 13.09.2021 granted bail to the petitioner with an condition to deposit a sum of Rs.35,000/- to the Mineral Foundation considering the fact there there is one previous case pending against the petitioner, but the fact remains that there is no previous case pending against the petitioner. Hence the correct amount to be deposited is Rs.10,000/- Hence the learned counsel appearing for the petitioner prays to correct the same and issue fresh order copy.

3. In view of the above it is clarified that the petitioner has no previous case against him. Hence para No. 3,4,5 and 8 (a) reads as follows:

*3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, he further submits that the petitioner, without prejudice to his rights, on his own volition, is ready to deposit a sum of **Rs.10,000/- to the Mineral Foundation Trust.***

4.The learned Government Advocate (Crl.Side) submitted that the vehicle involved was seized by the respondent police and that there is no previous case pending against

the petitioner. He further submits that if the person is caught with illegal sand in the mining area, he has to be directed to deposit the conditional amount to the credit of Crime number. However, in view of formation of District Mineral Foundation Trust in each District, the amount may be deposited to the credit of the said Trust for rehabilitation in the areas affected by illegal sand mining.

5. In view of the rehabilitation undertaken by the State Government under the Tamil Nadu District Mineral Foundation Rules, 2017, and in order to curb the illegal sand mining activities and also considering the submission made by the learned counsel for the petitioner, this Court is of the opinion that the petitioner shall be directed to make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the concerned District Mineral Foundation Trust, without prejudice to his rights and contentions. The amount so deposited shall be utilised by the Trust for rehabilitation works.

(a) the petitioner shall make non-refundable deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** through demand draft to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to his

defence before the trial Court and the learned Judicial Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioner;

4. All other conditions imposed in the order dated 13.09.2021 remains intact.

smn

Note: The Registry is directed to issue order copy on 20.09.2021

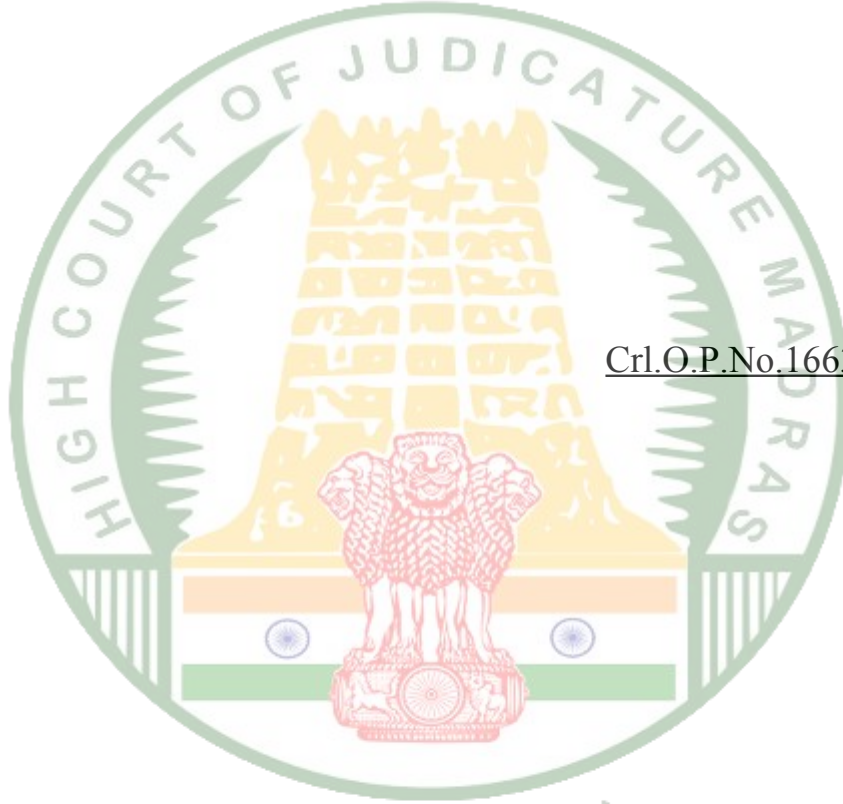
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Crl.O.P.No.16638 of 2021

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