

Crl.O.P.No.3479 of 2016**K.KALYANASUNDARAM, J.**

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC read with Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957 on the file of the respondent police, in Crime No. 137 of 2016 and seeks anticipatory bail.

2. The case of the prosecution is that on 13.02.2016 when the respondent police conducted verification and check up the Lorry, sand without having valid bills and permit, was found.

3. Learned counsel appearing for the petitioner would submit that the petitioner is the owner of the Lorry and the first accused was arrested and remanded to judicial custody and the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offences and he is also having permanent residence and therefore, no prejudice would be caused to the prosecution in the event of the petitioner's release on anticipatory bail.

4. Learned counsel appearing for the petitioner, on instructions would submit that the petitioner is ready and willing to donate any amount to show his bona fide.

5. The learned Government Advocate (Crl. Side) would submit that there is no previous case as against the petitioner.

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6. Considering the facts and circumstances of the case and also considering the nature of the allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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.II, Krishnagiri and on 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 also, the petitioner shall deposit a sum of Rs.10,000/- to the Chief Justice Relief Fund, High Court of Madras, Chennai and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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 stands dismissed.

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18.02.2016

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