

Crl.O.P.No.3987 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is arrayed as A.2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 379 of IPC r/w 21 (1) (iv) of Mines & Mineral Act in Crime No.95 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the owner of the tipper lorry, in which, illegally sand has been transported and the vehicle has been seized.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner, to prove his bonafide, agreed to donate a sum of Rs.10,000/- (Rupees Ten Thousand only).

4. Learned Government Advocate [Criminal side] appearing for the respondent would submit that the vehicle has been seized and there is no previous case as against the petitioner.

5. 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.

6. 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.I, Hosur 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 the learned Magistrate concerned and on further condition that the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) towards costs to the ***Chief Justice Relief Fund, High Court of Madras, Chennai - 600 104***, within a period of two

K.KALYANASUNDARAM, J.

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weeks from the date on which, the copy of the order is made ready and the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition 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 stands dismissed.

23.02.2016

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