

Crl.O.P.No.5627 of 2016**K.KALYANASUNDARAM,J.**

The petitioner, who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 IPC r/w 21(1)(IV) of Mines & Mineral Act, in Crime No.89 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 lorry. When the respondent police have intercepted the petitioner's vehicle, they found that he was transporting sand of three unit without any valid permit from the concerned authority.

3. The learned counsel appearing for the petitioner would submit that A1, who is driver of the lorry, was arrested and based on his confession, the petitioner has been falsely implicated in this case. He further submitted that the petitioner, to prove his bonafide, agreed to donate a sum of Rs.10,000/- (Rupees Ten Thousand only).

4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioner has no previous case and that the entire sand and lorry were seized.

5. Considering the above facts and circumstances of the case and further considering the fact that the entire sand and lorry were seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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.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 on further condition that the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of Demand Draft/Cheque drawn in favour of **"Tamilnadu Harijan Sevak Sangh" No.58, Venkatanarayana Raod, T.Nagar, Chennai - 17, Ph: 9994657433,"** towards donation within a period of two 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.

14.03.2016

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