

Crl.O.P.No.7048 of 2016**K.KALYANASUNDARAM,J.**

The petitioners, who are arrayed as A1 & A2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 & 430 IPC in Crime No.122 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are owner and driver of the tipper lorry respectively. When the respondent police have intercepted the petitioners' vehicle, they found that the petitioners were transporting sand illegally without any valid permit from the concerned authority.

3. The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners 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 petitioners have 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 petitioners with certain conditions.

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6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned District Munsif cum Judicial Magistrate, Uthukottai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that each of the petitioners 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 petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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.

30.03.2016

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