

Crl.O.P.No.8064 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is arrayed as A-2, apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 379 of IPC r/w Section 21[1] of Mines and Minerals Act Crime No.116 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 bearing Registration No.TN-34-F-7656, in which, Granites had 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 not committed any offence as alleged by the prosecution. However, to prove his *bona fide*, the petitioner is ready to donate some amount.

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 fact that the vehicle has been seized and there is no previous case as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

K.KALYANASUNDARAM, J.

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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.I, Krishnagiri 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 learned Magistrate concerned and on further condition that the petitioner shall deposit Rs.20,000/- (Rupees Twenty Thousand only) by way of D.D. / Cheque favouring **“The Principal, Govt. Hr. Sec. School for Blind, Poonamallee”** [Chennai - 600 056 - Mobile No.95851 09379] within a period of two weeks from the date on which the order copy is made ready and also directed to produce the receipt before the lower Court, failing which, this order shall stand dismissed automatically, without further reference to this Court. 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.

13.04.2016

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