



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.22546 of 2021

WEB COPY

1. Veera Ragavan
2. Suresh

... Petitioners/A1-A2

Vs.

State by The Inspector of Police,
Tiruvallur Taluk Police Station,
Tiruvallur District
Crime No.553 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of their arrest
in Crime No.553 of 2021 on the file of the respondent police.

For Petitioners : Mr.P.Prince Premkumar

For Respondent : Mr.N.S.Suganthan

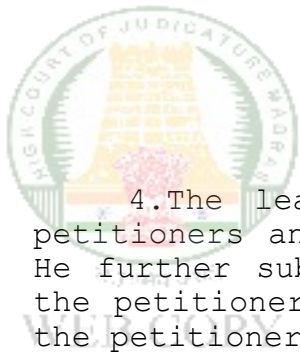
Government Advocate (Crl. Side)

ORDER

The petitioners who apprehend arrest for the alleged offence under Sections 379 and 430 of IPC r/w Section 21(1) of mines and minerals (Development and Regulation) Act, 1957, in Crime No.553 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with others have illegally transported 3 1/4 units of sand. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners are no way connected with the offence as stated above. Hence, he prays to grant anticipatory bail to the petitioners.



4. The Learned Government Advocate (Crl.Side) submits that the petitioners and others have illegally transported 31/4 unit of sand. He further submitted that there is no previous case pending against the petitioners. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that there are no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate -I, Thiruvallur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the SEVALAYA, No.F-2, Pushkarani Apartments, 12 Ananda Road, Alwarpet, Chennai-600 018, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioners are directed to report before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.



[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

26/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
TIRUVALLUR TALUK POLICE STATION,
TIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SEVALAYA,
NO.F-2, PUSHKARANI APARTMENTS,
12 ANANDA ROAD, ALWARPET,
CHENNAI-600 018

+1 CC to M/S.P.PRINCE PREMKUMAR Advocate on payment of necessary charges SR.NO.13651

CRL OP.22546/2021

Date :26/11/2021

JPA 01/12/2021