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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2021

CORAM:

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

Cr1.O.P.No.24625 of 2021

Parasuraman

... Petitioner

Vs.

The State, rep by its
Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.
(Crime No.566 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 his arrest
by the respondent police in Crime No.566 of 2021 on the file of the
respondent police.

For Petitioner : Mr.S.Santhosh

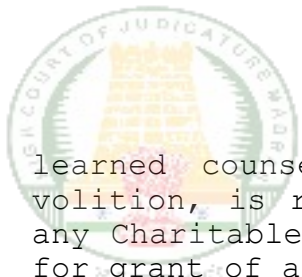
For Respondent : Mr.A.Gokula Krishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Section
379, 430 IPC, r/w 36A of Mines and Minerals (Development &
Regulation Act) in Crime No.566 of 2021, on the file of the
respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.10.2021, when the
respondent police were on the regular checking of vehicles, they
found that the petitioner had illegally transported 3 units of river
sand by using lorry without any valid licence. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that
the petitioner is an innocent person and he has not committed any
offence as alleged by the prosecution. However, on instructions, the



learned counsel further submits that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.25,000/- to any Charitable Purpose as may be directed by this Court and he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that the petitioner had illegally transported 3 units of river sand by using lorry without any valid licence. He further submits that this Court already dismissed the petitioner's earlier anticipatory bail petition in Crl.OP.NO.21021 of 2021 dated 09.11.2021.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.25,000/- for charitable purpose, 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-II, Poonamalle on condition that the petitioner shall execute 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 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 petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) to the Legal Service Authority, Thiruvallur 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 petitioner 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 petitioner is directed to report before the respondent police on every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



6 THE SECRETARY,
TAMIL NADU LEGAL SERVICES AUTHORITY
HIGH COURT, MADRAS.

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+1 CC to M/S. S.SANTOSH Advocate on payment of necessary charges
SR.NO.15099

CRL OP.24625/2021

Date :17/12/2021

JPA 29/12/2021