



4. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that on seeing the respondent police the petitioners flew away from the scene of occurrence and the property which was used for commission of offence has been recovered and the same is in the custody of the police. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. In view of the fact that the property used for transporting the red soil has been recovered and further, the petitioners, on their own volition, are ready and willing to contribute a sum of **Rs.25,000/-** each for the purpose of welfare activities, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate at Denkanikottai**, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) **as undertaken by the petitioners on their own volition, the petitioners shall make a non refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) (each) through demand draft in favour of "Madras High Court Advocate Clerks Welfare Association".** The above contribution is made without prejudice to their defence before the trial court and the petitioners shall submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/acknowledgment shall accept the sureties furnished by the petitioners;

(c) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d) **the petitioners shall report before the respondent police daily at 10.00 a.m., for a period of 30 days and thereafter, as and when required for interrogation.**



(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

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

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

17/02/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, DENKANIKOTTAI, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THALLY POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE MADRAS HIGH COURT ADVOCATE CLERKS
WELFARE ASSOCIATION, CHENNAI.

+1 CC to M/S.K.K.N.GANESHAN Advocate on payment of necessary charges SR.NO.2458

CRL OP.3809/2022

Date :17/02/2022

TA-25/02/2022