



Crl.O.P.No.4778 of 2022

Dr.G.JAYACHANDRAN,J.

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The petitioner, who apprehends arrest for the alleged offences **under Sections 430, 379 IPC r/w 21 (1) of Mines and Minerals Act r/w Section 3 of TNPPDL Act** in Crime No. 107 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner illegally transported 3/4 units of savudu sand in his tractor without any valid liscence.

3. On perusal of the printed FIR indicates that the details about the lorry driver and the quantum of river sand left blank, which clearly indicates that the case has been registered against the petitioner herein only for statistical purpose, hence, this Court grants anticipatory bail to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned **Judicial Magistrate, Polur** on condition that the petitioner shall execute a bond



for a sum of Rs.10,000/- each (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 and on further condition that:

(a)the petitioner and the sureties shall affix his 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;

(b)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioner shall report before the Investigating Officer as and when required for interrogation.

(d)the petitioner shall not abscond either during investigation or trial;

(e) 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 has 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]***; and;

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

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