



Crl.O.P.No.15320 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable u/s 379 and 430 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Cr.No.443 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner had illegally transported $\frac{1}{4}$ unit of river sand by using vehicle, without any permission. Hence, the complaint.

3.Heard both sides.

4. It is seen that this Court has already granted anticipatory bail to the petitioner on 14.12.2021 in Crl.O.P.No.24315 of 2021 and the petitioner has not able to produce the order copy before the Court below within the stipulated time as prescribed by our Court. Hence, the Judicial Magistrate refused to accept the same and also the petitioner has already

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paid a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of the Registered Advocate Clerk Association, Vellore, as imposed by this Court.

5. Considering the above fact and circumstances of the case, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.I, Vellore**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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:



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[a] 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.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 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]**.



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WEB COPY [f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

04.07.2022

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