



Crl.O.P.No.30187 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offences punishable under Section 379 of IPC, in Crime No.265 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who is the Assistant Geologist, Trichy Zone flying squadron has conducted raid, during which, it was found that the petitioners have illegally transported three units of pebbles without valid permit from the Government in their vehicle bearing Registration No.TN 39 BZ 3552. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent person and they have been falsely implicated in this case. However, on instructions, he would submit that the petitioners are ready and willing to pay a sum of Rs.30,000/- to any Charitable Institute as may be directed by this Court and he would pray for grant of anticipatory bail to the petitioners.



Crl.O.P.No.30187 of 2022

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4.The learned Government Advocate (Crl.Side) raised objection stating that the petitioners have illegally transported three units of pebbles without valid permit in their vehicle bearing Registration No.TN 39 BZ 3552. He would also submit that there is no previous case pending as against the petitioners. However, he vehemently 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 learned Government Advocate (Crl.Side), 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 No.II, Perambalur**, on condition that each of the petitioners shall execute separate 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



Crl.O.P.No.30187 of 2022

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.30,000/- (Rupees Thirty Thousand only)** jointly to the credit of **Sevalaya, No.F-2, Pushkarani Apartments, 12 Ananda Road, Alwarpet, Chennai - 600 018. Account Name:SEVALAYA, A/c No.218601000134, ICICI Bank, Mylapore Branch, Chennai-600004, IFSC Code:ICIC0002186**, 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 every Wednesday at 10.30 a.m., until further orders;



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Crl.O.P.No.30187 of 2022

T.V.THAMILSELVI,J.

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[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

08.12.2022

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Crl.O.P.No.30187 of 2022