



Crl.O.P.No.907 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 147, 353, 307, 430, 379 of IPC and 21(1) of Mines and Minerals Act in Crime No.181 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused persons have attempted to illegally transport lake sand by using tractor and tipper. When the same was prevented by the respondent police, the petitioners attempted to dash them using tractor. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, on instructions, the learned counsel submitted that the petitioners, on their own volition, are ready and willing to contribute a sum of Rs.10,000/- each to the credit of the Registered Advocates Clerks



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Association, Chengalpattu, that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners are history sheeters. He would also submit that the earlier anticipatory bail applications filed by the petitioners were dismissed by this Court. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, 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.I at Mathuranthagam** on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which, one must be a blood surety) each for a like sum to the satisfaction of the respondent



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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 petitioners are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** to the credit of the Registered Advocates Clerks Association, Chengalpattu, 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 on every Saturday at 10.30 a.m. for a period of eight weeks;

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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.

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