



Crl.O.P.No.21747 of 2023

WEB COPY

Crl.O.P.No.21747 of 2023

RMT.TEEKAA RAMAN,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 and 430 of IPC in Crime No. 375 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is alleged to have transported 3 units of Gravel sand in a Lorry without any valid permit. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.21747 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the quantity of Gravel sand involved is 3 units. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner shall make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **District Mineral Foundation Trust concerned**, and on such deposit and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial**



Crl.O.P.No.21747 of 2023

WEB.COM

Magistrate, Arakkonam, Ranipet District, on condition that the petitioner shall execute a 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that :

[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 make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **District Mineral Foundation Trust concerned**.

[c] Merely, because the petitioner deposits the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.



Crl.O.P.No.21747 of 2023

WEB COPY [d] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner 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 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]*; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

21.09.2023

ata



WEB COPY



Crl.O.P.No.21747 of 2023

RMT.TEEKAA RAMAN,J.

ata

Crl.O.P.No.21747 of 2023

21.09.2023