



Crl.O.P.No.25809 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 379, 430 of IPC read with Section 21(1) of Mines and Minerals (Development and Regulation Act), 1957 in Crime No.627 of 2023, seeks anticipatory bail.

2. The learned Government Advocate (Crl. Side) would submit that the petitioners are alleged to have transported 4 units of gravel sand.

3. In view of these facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, the petitioners are 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 District Munsif Court cum Judicial Magistrate, Thirukkazhukundram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 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.



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[b] the petitioners are directed to deposit a sum of Rs.15,000/- jointly to the District Revenue Officer, Chengalpattu, within a period of two weeks.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required.

[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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2023

10.11.2023
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