



CrI.O.P.No.27331, 27343 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC r/w 21(4) Mines and Mineral (Development & Regulation) Act, 1957 in Crime No.311 of 2023, seeks anticipatory bail in each cases.

2. The case of the prosecution is that on 17.11.2023 at about 14.00 hours when the Tahsildar and his officers were conducted a regular ride from Hosur to Rayakottai NH Road and founded that attempting to transporting rough stone and four units of M.Sand by the driver and owner of vehicle without any valid permit issued by the state government and when the defacto complainant had trying to arrest him. But the petitioner escaped from the scene



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of occurrence. On the basis of complaint, the respondent police had registered a case against petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner attempting to transporting rough stone and four units of M.Sand without any valid permission from the government. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, 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 Magistrate No.II, Hosur*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) **in each cases** 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.



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[b] the petitioner shall report before the respondent police everyday for a period of two weeks and after as and when required. Additionally, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the DRO, Krishnagiri in each cases.

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

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