



CrI.O.P.No.443 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 379 of Indian Penal Code r/w 21(4) of Mines and Mineral (Development and Regulation) Act, 1957, in Crime No.335 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found to transporting granite stones without any valid permit.

3. In view of these particular 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.II, Hosur** 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



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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.

[b] 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.

[c] Each of the petitioner shall make a non-refundable deposit of Rs.5,000/- (Rupees Five Thousand only) separately to the credit of the Dean, Government General Hospital, Krishnagiri District, for treatment of needy patients. Two weeks time is granted for deposit the said amount from the date of receipt of a copy of this order.

[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.



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[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.

18.01.2024

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