



Crl.O.P.No.1712 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 IPC and Section 21(1) of Mines and Minerals Development Regulation Act 1957 in Crime No.2 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners was found to transporting one unit of river sand in four bullock carts.

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.1, Mayiladuthurai** 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 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] the petitioners shall deposit a sum of Rs.5,000/- jointly to the District Revenue Officer, Mayiladuthurai District. 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.

[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.

02.02.2024

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