



Crl.O.P.No.9968 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence punishable under Sections 430, 379, 511 of IPC r/w 21(1) of the M.M.Act in Crime No.259 of 2024, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant/ Assistant Geologist were on inspection near Samuthiram lake, the petitioners were engaged on quarrying the sand without any prior permission in unnumbered JCB vehicle Chassis Number (>HAR30XINP03168488<) Engine Serial Numbr (H00350040 Transmission Serial Number(102/L4552/1/372486) and the driver of the vehicle got escaped on seeing the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would submit that they have



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been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submit that the petitioners were engaged on quarrying the sand without any permission from the authority. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7. Accordingly, the petitioners are directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only)** as non-refundable to the credit of the registered **“Advocates Clerks Association, Tiruvannamalai”** and on such deposit and production of proof, the petitioners are ordered to be released on anticipatory bail in the event of



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arrest or on their appearance before the **learned Judicial Magistrate**

No.2, Tiruvannamalai District on condition that the petitioners shall

execute a separate 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 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 are directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners 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 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];**

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

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