



Crl.O.P.No.10770 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.104 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioners along with other accused persons had transported four units of normal sand illegally in his vehicles without obtaining proper license. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that they abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.



CrI.O.P.No.10770 of 2024

WEB COPY

4. Learned Government Advocate (CrI.Side) appearing for the respondent submitted that the petitioners along with other accused persons were illegally transported four units of normal sand in their vehicles, without obtaining any prior permission. He further submits that the petitioners has no previous case pending against them. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Sriperumbudur***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, for a like sum to the satisfaction of the respondent police or the



CrI.O.P.No.10770 of 2024

police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned and on further condition that:

(a) Each of the petitioners are directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of the **Madras High Court Advocate Clerks Welfare Association, Chennai, A/c No.484077244, Indian Bank, High Court Branch, IFSC Code: IDIB000M137** within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m, for a period of twelve weeks;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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CrI.O.P.No.10770 of 2024

T.V.THAMILSELVI, J.

drl

[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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

30.04.2024

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