



Crl.O.P.No.11591 of 2024

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K.KUMARESH BABU, J.

The petitioners seek anticipatory bail in Crime No.401 of 2024 registered by the respondent Police for the offences under Sections 294(b), 379, 430, 506(ii) of IPC and 21(1) of the Mines & Minerals (Development & Regulation Act), 1957.

2. The learned counsel for the petitioners stated that, the petitioners are innocent and they have been falsely implicated in this case. Apprehending arrest from the respondent police, he seeks anticipatory bail to the petitioners.

3. It is stated by the learned Government Advocate (Criminal side) that the petitioners were transporting ½ unit of river sand in Ashok Leyland Dosth Vehicle on 04.05.2024 near Vettapoor, Melamedu Bridge. On being enquired by the respondent police with regard to river sand, the petitioners abused the respondent officials in filthy language and threatened them with knife. There are two and five previous cases pending against the 1st and 2nd petitioner respectively. Hence, he prays for dismissal of this petition.



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4.Taking all the factors into consideration and the overt act as against the petitioners, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.1, Villupuram**, 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 shall report before the respondent police everyday at 10.00 a.m., until further orders.



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

[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 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];

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

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