



Crl.O.P.No.12876 of 2024

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S. SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.156 of 2024 registered by the respondent Police for the offences punishable under Section 379 of IPC. r/w 21(1) of Mines and Mineral Act, 1957.

2. The case of the prosecution is that on 22.05.2024 at about 12.45 p.m., when the Assistant Director of Geologist, Mines and Minerals Department, Villupuram and his officers conducted a ride from Krishnagiri to Bangalore Road, they found a lorry with possession of one piece of granite stone by the driver and the owner of the vehicle, without any valid permit. Hence, this case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they are nothing to do with the alleged offence. He further submitted that a false case has been foisted against the petitioners. The petitioners were in possession of the granite stone with proper bills and invoice. Hence, he seeks anticipatory bail to the petitioners.



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4. Learned Government Advocate (Criminal side) for the respondent submitted that the petitioners are the driver and owner of the vehicle and they were in illegal possession of one granite stone worth about Rs.65,000/-. There is no previous case against the petitioners.

5. Taking into consideration the nature of the allegations made against the petitioners and also the fact that there is no previous case against the petitioners, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory 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.II, Hosur** on condition that the petitioners shall execute a separate 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:



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[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.

[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 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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