



Crl.O.P.No.14792 of 2024

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T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379, 430 of IPC & 21(1) of MMDR Act, in Crime No.283 of 2024, seek anticipatory bail.

2. The case of the prosecution is that when the respondent and his team were in patrol duty, they had found the petitioners with an illegal possession of 1 unit of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners were in illegal possession of 1 unit of river sand, without valid permission. Hence, he opposed for grant of anticipatory bail to the petitioners.



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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.

6. Accordingly, the petitioners are directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) each to the credit of the registered Advocate Clerk Association, Tiruvannamalai**, within a period of three weeks from the date of receipt of a copy of this order and on such deposit and production of proof, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance before the **learned Judicial Magistrate, Arni** 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 is directed to report before the respondent police on every Tuesday and 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.

[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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