



Crl.O.P.No.15918 of 2024

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T.V.THAMILSELVI,J.

The petitioners/Accused No.1 to 3, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 379 of IPC r/w Section 21(1), 21(4) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.127 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found in illegal transportation of 4 units of sand without any valid permission. 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 submitted that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the 1st petitioner is the owner of the lorry bearing Registration No.TN-24-AC-2995 and TN-24-AQ-6192 and the petitioners 2 and 3 are drivers of the said lorries. He further submitted that the petitioners 2 and 3 were found in illegal transportation of 2 units of sand in each lorry without any valid permission. 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, Uthangarai***, 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, for a like sum to the satisfaction of the respondent police or



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the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners shall deposit a total sum of Rs.30,000/- (Rupees Thirty Thousand Only) to the credit of “Arignar Anna Government Hospital of Indian Medicine A/c.110101106507, Canara Bank, IFSC Code: CNRB0016021 (Siddha) Aminjikai, Chennai – 600 029” 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 every day at 10.30 a.m, for a period of eight weeks;

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

[e] the petitioners shall not abscond either during investigation or trial;



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[f] 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 has been imposed and the petitioners 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;

08.07.2024

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