



Crl. O.P. No.19014 of 2024

Crl. O.P. No.19014 of 2024

WEB CO P.DHANABAL.J.,

The petitioner / 1st accused apprehends arrest for the alleged offence under Section 303(2) and 326(a) of B.N.S. Act in Crime No.468 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 26.07.2024 at about 6 a.m., on a regular ride conducted by the Ambur Police personnel, it was found that the petitioner had illegally transported 1/4 unit of river sand in his bullock cart without any valid permission. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent and he has not indulged in any activities as alleged in the F.I.R and he has been falsely implicated in this case by the respondent police and he has not involved in any other case and hence he seeks anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit that the petitioner has committed theft of 1/4 unit of river sand by carrying in the bullock cart without any valid permission. Hence he objected to



Crl. O.P. No.19014 of 2024

grant anticipatory bail to the petitioner. However, the learned Government

Advocate (Criminal Side) has represented that the petitioner has no previous case.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the quantity of material involved in this case, considering the fact that there is no previous case as against the petitioner and considering the nature of offences, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Ambur** on condition that the petitioner shall execute a 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m.; for a period of 4 weeks and thereafter as



Crl. O.P. No.19014 of 2024

and when required for investigation.

WEB COPY

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

08.08.2024

mjs

To

1. The Judicial Magistrate, Ambur.
2. The Inspector of Police, Ambur Taluk Police Station, Tirupathur District
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl. O.P. No.19014 of 2024

P.DHANABAL,J

mjs

CRL OP.No.189987 of 2024

08.08.2024