



Crl.O.P.No.19651 of 2024

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P.DHANABAL, J.

The petitioners apprehend arrest for the alleged offences under Sections 21(1), 4(1) and 4 (1)(A) of the Mines and Minerals (Development and Regulation) Act, 1957 and 303(2) of the B.N.S.Act 2023 in Crime No.295 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during regular checkup, a tipper and trailer vehicles transporting boulders were found without any valid permit or license issued by the Government. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners had not committed any offence as alleged and the petitioners had been falsely implicated in this case. He further submitted that the petitioners were carrying boulders with the permit handed over to them and they are not aware about the corrections made in the permit as alleged and petitioners are ready and willing to furnish substantial sureties



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for their due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that during regular check up conducted by the Assistant Geologist, boulders were found in a tripper and trailer vehicles without proper permit from the Government and the materials were seized and there is no previous case as against the petitioners and further, considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the representations made by both sides and also considering the nature of offences charged against the petitioners and also taking into consideration the quantity of materials seized and that there is no previous cases pending as against the petitioners, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on



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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

Judicial Magistrate No.1, Pollachi on condition that the petitioners shall

execute a bond for a sum of Rs.10,000/- (each) (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 and on further condition

that:

[a] the petitioners shall report **before the respondent police on every Saturday, until further orders.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade then from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.



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[e] the petitioners shall make themselves available for interrogation by a police officer as and when required.

[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 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]***.

[g] If the petitioners thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

28.08.2024

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