

**Crl.O.P.No.20084 of 2024**

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P.DHANABAL, J.

The petitioners apprehends arrest for the alleged offences under Sections 430 and 379 of I.P.C in Crime No.165 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant along with the other officials went on patrol at Thalavanur near Thennaipennai river and it was found that the petitioners transported ¼ units of river sand in bullock cart without valid permit from the Government. Hence, the complainant.

3. The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged and the petitioners had been falsely implicated in this case and hence, he prayed to grant anticipatory bail to the petitioners .



for the respondent police submitted that the defacto complainant along with the other officials went on patrol at Thalavanur near Thennaipennai river and it was found that the petitioners transported $\frac{1}{4}$ units of river sand in bullock cart without valid permit from the Government. Further, there is one previous case pending as against the first petitioner and two previous cases pending as against the second petitioner and hence, he opposed for grant of anticipatory bail to the petitioners .

5. Considering the representations made by both sides and quantity of materials involved in the offence and that there are no previous cases 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 bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Learned Judicial Magistrate No.1, Villupuram*** 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, for four weeks.**

[b] the person 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 him from disclosing such facts of the Court or to any police officer.

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

[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 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]*.



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

[g] the person shall make himself available for interrogation by a police officer as and when required.

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