



Crl.O.P.No.20271 of 2024

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P.DHANABAL, J.

The petitioner who apprehends arrest for the alleged offences under Sections 303(2) and 326(a) of the BNS, 2023 r/w Section 21(1) of the Mines and Minerals Act, 1957 in Crime No.616 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that during regular patrol, the petitioner's lorry bearing Registration No.AP-39-T-9559 is alleged to have transported eight units of river sand illegally without valid license from the Government. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged and he had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner's lorry was found illegally transporting eight units of river sand without valid license and that there is no previous case as against the petitioner and further, considering the gravity of offence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of the offence and the quantity of material seized and that there is no previous case against the petitioner and as the accused were arrested and released on bail, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 **Judicial Magistrate, Sriperumbudur** 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 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 petitioner shall report before the respondent police **daily at 10.00 A.M. until further orders.**

[b] the petitioner 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 petitioner shall not leave India without the previous permission of the Court.

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

[e] the petitioner shall make herself 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on

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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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

11.09.2024

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