



Crl.O.P. No.21878 of 2024

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WEB CO **P.DHANABAL.J.,**

The petitioners apprehend arrest for the alleged offence under Sections 379 of IPC and 21(1) of Mines and Minerals (Development & Regulation) Act in Crime No.592 of 2022, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the respondent police found that the accused persons were illegally transported the 3 units of Glay soil without having any proper permission or permit. Hence the case.

3. The learned counsel for the petitioners would contend that the first petitioner is the lorry driver and the 2nd petitioner is the owner of the lorry. These petitioners have not involved in any offences as alleged by the prosecution. These petitioners are innocent persons and they have not indulged in any illegal activities as alleged by the prosecution and they have been falsely implicated in this case by the respondent police. Hence, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that the accused persons were illegally transported 3 units of clay soil without having any proper license or permit. There is no previous case against the petitioners. However, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Considering the rival submissions on either side, considering the nature of offence and the quantity of material involved in this case, there is no previous case against the petitioners and considering other aspects, this court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.4, Salem** on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees



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

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