



WEB COPY



Crl.O.P.No. 25744 of 2024

T.V.THAMILSELVI, J.

This petition has been filed to enlarge the petitioner on bail in the event of their arrest in the crime No. 4 of 2024 on the file of the respondent police.

2. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as if he fabricated the official cover addressed to R.D.O., Gudiyatham, giving permission to quarry the gravel sand. Further, he submits that, according to them, on 24.02.2024, petitioner approached the authorities and gave a letter but the FIR was filed in the year 07.06.2024. Hence, the inordinate delay in filing the FIR shows that the petitioner has been falsely implicated in this case.

3. The learned Government Advocate (Crl. side) submits that the petitioner approached the RDO, by handing over the letter as if it was sent by Geology and Mining Department, Vellore, permitting him to quarrying the gravel sand. In fact, no such letter was given by the Mining Department. Hence, he was impleaded in this case for fabrication. Further, he would submit that for illegal quarrying, he attempted to get some order by



producing false records. Hence, he raised objection to grant bail. According to the petitioner, the alleged letter dated 22.02.2024 but the FIR was on 07.06.2024 only against this petitioner only. Considering the above, the petitioner is ready to abide any conditions and as on date there is no previous case pending against the petitioner in respect of illegal quarrying and also all the documents were seized by the investigating agency, there is no possibility for tampering the evidence. Hence, this Court is inclined to grant bail to the petitioner with the following conditions.

4. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Chief Judicial Magistrate and Special judge, Vellore District*, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a



copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall deposit a sum of Rs. 50,000/- to the credit of Registered Advocate Clerks' Welfare Association, Chennai. Further, the petitioner shall report before the respondent at 10.30 a.m on every Tuesday and Saturday for a period of three months.

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

14.11.2024

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