



Crl.O.P.No.24516 of 2024

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WEB COPY **P.DHANABAL, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 482 of BNSS and 303(ii), 326(a) of BNS r/w MM Act in Crime No.196 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.09.2024 the petitioner illegally carried five unit sand by mini tipper. Hence this case.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that on 23.09.2024 the petitioner illegally carried five unit sand by mini tipper and 3 previous cases are pending against the petitioners and the petitioner illegally carried five unit sand. However, he vehemently opposed to grant anticipatory bail to the petitioner.



CrI.O.P.No.24516 of 2024

WEB COPY 5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of offences and the quantity involved in this case, though the petitioner is having some previous cases in all cases he was granted bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate, Katpadi* 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the Krishnagiri Police Station daily at 10.00 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.24516 of 2024

[c] the petitioner shall not abscond either during investigation

or trial.

[d] 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 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

04.10.2024

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CrI.O.P.No.24516 of 2024

P.DHANABAL,J.

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CrI.O.P.No.24516 of 2024

04.10.2024