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Crl.O.P.No. 28720 of 2024

T.V.THAMILSELVI, J.

This petition has been filed to enlarge the petitioners on anticipatory bail in the event of his arrest in crime No. 222 of 2024 on the file of the respondent police.

2. The case of the prosecution is that the petitioners have illegally transported 5 units of sand in cheyyar river. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioners have been falsely implicated in this case and they are ready to abide any conditions. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits that there are 5 previous cases pending against the petitioners 1 and 3 and there are 13 previous cases pending against the second petitioner. Hence, he raised objection to grant bail.

5. Considering the facts of the case, the investigation is almost



completed and the petitioners availed bail in other cases. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner 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 Magistrate, Kalasapakkam**, 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 petitioners 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 petitioners shall deposit a sum of Rs.50,000/- each to the credit of registered Advocate Clerk's Welfare Association, Dharmapuri, within a period of two weeks from the date of receipt of a copy of this order and shall report before the respondent police on daily at 10.00 a.m for a period of three months.



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

(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 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.

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