



Crl.O.P.No.27332 of 2024

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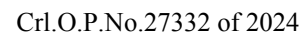
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P.DHANABAL,J.

The petitioners/accused who apprehend arrest at the hands of the respondent police for the alleged offence punishable under 303(2) of BNS and Section 21(1) of Mines and Minerals (Development & Regulation) in Crime No.215 of 2024 seek anticipatory bail.

2. The case of the prosecution is that as per the instructions given by the District Collector and Revenue Officials, enquiry conducted by the defacto complainant who is the Village Administrative Officer, of the Thondamuthur, Perur (Taluk), Coimbatore with regard to the brick chambers in Thondamuthur area and in the course of enquiry, they came to know that Subramanian is the owner of KRS Bricks and the said brick kiln has been closed by the authorities concerned and the said Subramanian runs the said brick kiln illegally and manufactured bricks in the night hours. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submits that the petitioners



4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that one Subramanian who is the owner of KRS Bricks said brick kiln has been closed by the authorities concerned and the Subramanian runs the said brickkiln illegally and manufactured bricks in 24 hours. He further submits that there are no previous case against the respondent. Hence, he vehemently opposed for the grant of anticipatory bail to the respondent.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of offences levelled against the petitioners and they are only the owners of the land and they have leased out to the said Subramanian for running brick klin and also the fact that there is no



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previous case against the petitioners and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on 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 **Judicial Magistrate Court-VI, Coimbatore** on condition that each of the petitioners shall execute separate bonds 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 petitioners shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks.

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

[c] the petitioners shall not abscond either during investigation or trial.



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[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 269 B.N.S.

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