



Crl.O.P.No.27101 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 353, 379 and 430 of IPC, in Crime No.62 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that, the petitioner and other accused persons have illegally transported six units of savudu sand without any valid licence. Hence, the case.

3.The learned counsel for the petitioner submitted that based on the confession statement of A1, the petitioner has been falsely implicated in this case. However, on instructions, the learned counsel submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.15,000/- to the credit of the Registered Advocates Clerks Association, Thiruvallur, that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the



Crl.O.P.No.27101 of 2023

petitioner and other accused persons have illegally transported six units of savudu sand. He further submitted that the petitioner has already granted anticipatory bail in Crl.O.P.No.4532 of 2023, but he has not complied the conditions imposed by this Court. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is now ready and willing to deposit a sum of Rs.15,000/- to the credit of Registered Advocates Clerks Association, Thiruvallur, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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 **Judicial Magistrate Court No.I, Ponneri**, 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



CrI.O.P.No.27101 of 2023

the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** to the credit of the Registered Advocates Clerks Association, Thiruvallur, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent Police on every Wednesday at 10.30 a.m. for a period of six weeks;

T.V.THAMILSELVI, J.

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Crl.O.P.No.27101 of 2023

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;

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

02.01.2024

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Crl.O.P.No.27101 of 2023