



CrI.O.P.No.30011 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.235 of 2024 registered for the offences punishable under Sections 303(2) of BNS Act, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 30 tons of granite stones without any valid permission. Hence the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent and that a case of granite theft has been fabricated against them. He also submits that the petitioners have no previous case against them and without prejudice to the defence and contention, they are ready and willing to deposit a sum of Rs.15,000/- each as non-refundable deposit to any welfare scheme of the Government or any organization. He further submits that the petitioners are ready to abide by any stringent condition that may be



imposed by this Court.

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4. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the quantity of granite stone involved is 30 tons. He would further submit that the petitioners have no previous case pending against them.

5. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the District Legal Services Authority, Krishnagiri, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly,



they 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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate No.I, Hosur, on condition that each of the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks, thereafter every Saturday at 10.30 a.m. until further orders;

[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 petitioners in accordance with law as if the



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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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

02.12.2024

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