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CrI.O.P.No.31291 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31291 of 2024

1.SASIKALA
2.Janakiraman

Petitioner(s)

Vs

State Rep. by The Inspector of Police
Villupuram TalukPolice Station, Villupuram District
(Cr. No. 947 of 2024)

Respondent(s)

For Petitioner(s):

Vijayaragavan K
K.Vijayaragavan
M.Manimaran

For Respondent(s):

Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No. 947 of 2024 registered for the offences punishable under Sections 303(2) of BNS and 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, the present petition has been filed by the petitioners seeking anticipatory bail.



2. Pleading innocence on the part of the petitioners, false implication

in the case, learned counsel for the petitioners seek indulgence of this Court.

He also submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.15,000/- each, to any welfare scheme of the Government or any other organization and are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners were involved in illegal transportation of 5 units of gravel sand in Ashok Leyland Taurus. He further submitted that there are no previous cases against the petitioners.

4. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each**, to the credit of the **"District Legal Services Authority, Villupuram District"** without prejudice to the right of defence before the Trial Court and making it clear



that it would not amount to admission of guilt.

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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 **Judicial Magistrate No.I, Villupuram**, on condition that the petitioners shall execute separate 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



[b] the petitioners shall report before the respondent police everyday 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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

16.12.2024

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To

1.The Judicial Magistrate No.I, Villupuram

2.The Inspector of Police

Villupuram TalukPolice Station, Villupuram District



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A.D.JAGADISH CHANDIRA, J.

Anu

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