

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Principal Sessions Judge, Dindigul.**

Wednesday, the 02nd day of June 2021

CV CrI.M.P. No.32/2021

1. Muthupandi, 27/2021 S/o. Arumugam
2. Muniyappan, 36/2021 S/o. Vellaiyan .. Petitioners/A1 and A2

/vs/

State through
Inspector of Police, Vadamadurai PS. .. Respondent/Complainant
Cr. No.468/2021

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.R.Mohan, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state are on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed u/s.438 Cr.P.C. petitioners/A1 and A2 pray to grant them anticipatory bail for the offence U/S.379 IPC in Cr.No.468/2021 of the respondent police. The occurrence took place on 18.05.2021.

The learned counsel for the petitioners stated that the case of the prosecution was that the petitioners illegally transported three unit of gravel soil in Ashok leyland vehicle bearing Regn. No.TN 59 AY 1099 for the value of Rs.1,500/- and thereby they have committed the offence punishable U/S. 379 IPC. That the petitioners have not committed any offence as alleged by the prosecution, that the petitioners have been falsely implicated in this case for statistical purpose, that the petitioners have transported gravel soil for their own purpose, that there is no previous case pending as against the petitioners, that the case properties have been recovered, that the petitioners have permanent abode, there is no chance for absconding, that the petitioners apprehend for arrest and he prays for anticipatory bail.

The learned Public Prosecutor for the State vehemently raised objection for anticipatory bail. However, he has conceded that gravel soil and vehicle have been recovered, that no previous case is pending as against the accused.

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Online submission of either side heard. Records perused. Considering the facts that the properties have been recovered and no previous case is pending as against the petitioners/A1 and A2 as stated by the learned Public Prosecutor and on considering the prevention measure of COVID-19 Pandemic and the urgent need and necessity to ensure social distancing and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioners/A1 and A2 with stringent condition. Anticipatory Bail is granted to the petitioners/A1 and A2 on strict compliance of the following conditions.

1. The petitioners/A1 and A2 are directed to pay a sum of Rs.5,000/- **each** (Totally Rupees Ten Thousand only) as non-refundable amount, without prejudice of their rights, to the account of “Dean, Dindigul Medical College Head Quarters Hospital, Dindigul - 624 001 - **Account No.5616101004223 / IFSC Code No.CNRB0005616 (Canara Bank, Salai Road, Dindigul Branch) on or before 14.06.2021.** The Hospital Authorities are instructed to utilize the said amount to improve the infrastructure facilities of the hospital.
2. The petitioners/A1 and A2 shall in the event of arrest by the respondent police or their surrender before the learned Additional District Munsif -cum- Judicial Magistrate, Vedasandur **in between the period from 20.7.2021 to 3.08.2021** be released on bail on production of acknowledgement for payment and on executing their own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Magistrate without fail, failing which the anticipatory bail shall stand cancelled automatically.
3. The petitioners/A1 and A2 shall make themselves available for interrogation by the police officer as and when required.
4. The petitioners/A1 and A2 shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
5. The petitioners/A1 and A2 shall not leave the town without prior permission of the court.
6. The petitioners/A1 and A2 shall not tamper with evidence or witness either during investigation or trial.
7. The petitioners/A1 and A2 shall not abscond either during investigation or trial.

Pronounced by me, this the 02nd day of June 2021.

**Principal Sessions Judge,
Dindigul**

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- Since this bail order is electronically generated, does not require signature and court seal.
- This order is available in E-Courts Official Web Site,
[" https://districts.ecourts.gov.in/case status/case number"](https://districts.ecourts.gov.in/case status/case number)

Copy to

The Additional District Munsif-Cum-Judicial Magistrate, Veda sandur

The Public Prosecutor, Dindigul.

The Inspector of Police, Vadamadurai PS.,

To ensure social distancing, they are requested to
download the order from the official web site link.

Thiru.R.Mohan, Advocate
for the petitioners.