

CRL.O.P.No.11446 of 2016**S.VAIDYANATHAN,J.**

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 7(1)(a)(ii) of RDCS r/w.6 (4) of E.C.Act, 1955 in Crime No.40 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard both sides.

3. This is third anticipatory bail application. Petitioner is A9. The case of the prosecution is that the petitioner is alleged to have indulged in illegal transportation of rice meant for Public Distribution System weighing 15 tonnes in his lorry. Case property seized.

4. Learned Government Advocate (Crl. Side) opposed to grant bail stating that earlier on two occasions the anticipatory bail petition moved by the petitioner has been dismissed on merits and the petitioner's lorry was used to transport PDS Rice.

5. Considering the facts and circumstances of the case and taking note of the fact that this Court had already dismissed the anticipatory bail applications of petitioner twice and further the respondent police have not even taken steps to secure the accused, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned VIII Metropolitan Magistrate, George Town, Chennai on his executing 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 the learned Magistrate

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concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 5 p.m., until further orders;

(b) the petitioner shall deposit Rs.1,00,000/- (Rupees one lakh) to the credit of Crime No. 40 of 2016 before the above said Magistrate at the time of executing bond;

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

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

[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]**.

13.06.2016

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