

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8245 of 2020

T.R.Srinivasan

...Petitioner

-Vs-

The State Rep. By
The Inspector of Police,
Civil Supplies CID,
Chennai Unit, Chennai.
Crime No: 124/2020.

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No.124 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.V.Karthikeyan

For respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.124 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 5,350 kgs of PDS rice, which was brought in 107 bags each containing 50 kgs. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner was found in possession of 5,350 kgs of PDS rice, which was brought in 107 bags each containing 50 kgs. He would also submit that there is no previous case pending against the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned VI Metropolitan Magistrate, Egmore, and 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 learned VI Metropolitan Magistrate, Egmore and the petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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;

[b] the petitioner shall donate 5 bags containing 50 Kgs of Ponni rice to the **Udavum Karangal Adiannamalai, Girivalam Road, Tiruvannamalai - 606601, Near Varnalingam Temple Ph. 9940188051**

[c] the petitioner shall report before the respondent police, as and when required for interrogation.

[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 229-A IPC.

-sd/-
11/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE VI METROPOLITAN MAGISTRATE,
EGMORE.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
CHENNAI UNIT,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE UDAVUM KARANGAL ADIANNAMALAI,
GIRIVALAM ROAD, TIRUVANNAMALAI - 606601,
NEAR VARNALINGAM TEMPLE PH. 9940188051

CC to M/S.S.V.KARTHIKEYAN Advocate on payment of necessary
charges

CRL OP.8245/2020

Date :11/06/2020

TA-14/07/2020



WEB COPY