

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM :

THE HON'BLE MRS. JUSTICE S.KANNAMMAL

CrI.O.P.No.8678 of 2021

N. Daisy Rani

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
CS-CID, Chennai 600 035.
(Crime No.111 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of arrest in Crime No.111 of 2021 on the file of respondent police.

For Petitioner : M/s. K. Shinitha

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences under Section 6(2), 6(3) of TN Scheduled Commodities (RDCS) Order, 1982 r/w Section 7(I)a(II) of Essential Commodities Act, 1955 in Crime No.111 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner was working in a TN Civil Supplies Ration shop and had committed malpractice in maintaining the shops inventory amounting to Rs. 2,34,750/-. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit the petitioner had paid the deficit amount to the department. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl side) appearing for the respondent would submit that the petitioner had committed malpractice in maintaining the shops inventory amounting to Rs. 2,34,750/- However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the petitioner had paid the deficit amount, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the VI Metropolitan Magistrate Court at Egmore on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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 report before the respondent police as and when required for interrogation.

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

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
12/05/2021

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
COURT AT EGMORE.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CS-CID, CHENNAI - 600 035.

CC to M/S.K.SHINITHA Advocate on payment of necessary charges

CRL OP.8678/2021

Date :12/05/2021

cs 09/07/2021

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