



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23976 of 2021

A.Ravi

... Petitioner

Versus

State Rep by
Inspector of Police,
CSCID Thiruvallur Police Station,
Thiruvallur District.
(Crime No.281 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in the event of their arrest in Crime No.281 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Shanmuga Velayutham

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offences under section 6 (4) of TNSC (RDSC) Order 1982 r/w 7(1) (a) (ii) of EC Act 1955, in Crime No.281 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution that the petitioner along with other accused transported 4000kgs of PDS Rice through TATA ACT bearing Vehicle No.TN-07-AC-6604. Hence, the Law Enforcing Agency registered a case against the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submits that the petitioner has involved in illegal transportation of 4000kgs of PDS Rice. He further submitted that there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.



5. In order to curb the illegal activities and considering the submission made by the learned counsel for the petitioner, this Court is of the opinion that the petitioner shall be directed to make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand Only), to the credit of the Sri Arunodhayam Charitable Trust at Chennai, without prejudice to his rights and contentions. The amount so deposited shall be utilised by the Authority for the treatment of Mentally retarded Children.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate - II, Thiruvallur 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, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Sri Arunodhayam Charitable Trust at Chennai, Bank :HDFC bank, Account No: 50100196910687, IFSC Code : HDFC0004221 within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioner is directed to report before the respondent police daily at 10.30 a.m., until further orders;

[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 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].



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

-sd/-

10/12/2021

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 JUDICIAL MAGISTRATE,
NO.II, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CSCID THIRUVALLUR POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 SRI ARUNODHAYAM CHARITABLE TRUST AT CHENNAI,
BANK :HDFC BANK, ACCOUNT NO: 50100196910687,
IFSC CODE : HDFC0004221

CC to M/S.S.SHANMUGA VELAYUTHAM Advocate on payment of necessary charges Sr.14515

CRL OP.23976/2021

Date :10/12/2021

RVR 16/12/2021