



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24477 of 2021

G.Sugumar

... Petitioner

Versus

The State represented by  
The Sub Inspector of Police,  
CSCID, Chennai North.  
(Crime No.377 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in the event of his arrest pending investigation in Crime No.377 of 2021 on the file of the respondent police.

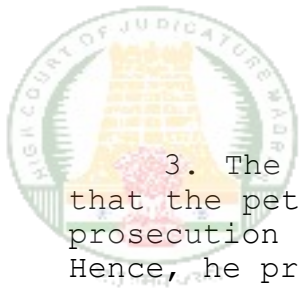
For Petitioner : Mr.S.Anantha Krishnan

For Respondent : Mr.A.Gokulakrishnan,  
Additional Public Prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 6(4) of TN Scheduled Commodities (RDCS) Order 1982 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.377 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 22.10.2021 the respondent police went for ride in and around Tharamani area neae DLF Everysendai construction company which is at 100 feet road Tharamani. There they found a person standing with few bundles of bags, the said person after seeing the respondent police ran away. When the respondent police verified the bags left by the said person, they found that it was Tamil Nadu Governments Public distribution scheme's rice bags. There were 22 bags, each weighing 50 kgs in total it was 1100 kgs. Thereafter when the respondent enquired with one Muthu Krishnan and Kesavan who residing in Tharamani about the person who escaped. They informed that the person regularly supplies the above said rice bags to north Indian People. Hence this case.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that from the petitioner seized 22 rice bags each weighing 50 kgs and almost investigation completed. No previous case. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate - VI at Egmore, Chennai, 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:

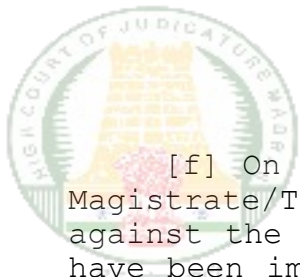
[a] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Anbagam Psychiatric Rehabilitation Centre (TERDOD), 5, Subbarayan Main Street, Opp Government Polytechnic College, Nammalwarpet, Otteri, Chennai, Contact No.044-26605865, 9444009988 within a 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 petitioner released on anticipatory 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/-

16/12/2021

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,  
VI AT EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN  
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE ANBAGAM PSYCHIATRIC  
REHABILITATION CENTRE (TERDOD),  
5, SUBBARAYAN MAIN STREET,  
OPP GOVERNMENT POLYTECHNIC COLLEGE,  
NAMMALWARPET, OTTERI, CHENNAI.  
CONT NO.044-26605865

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE SUB INSPECTOR OF POLICE,  
CSCID, CHENNAI NORTH.

CC to M/S.S.ANANTHA KRISHNAN Advocate on payment of necessary charges Sr.14928

CRL OP.24477/2021

Date :16/12/2021

RVR 21/12/2021