



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

WEB COPY

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7658 of 2022

Anandan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Civil Supply C.I.D., Vellore,
Vellore District.
(Crime No.35 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.35 of 2022 pending on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner/A2, who was arrested for the offences punishable under Sections 6(4) Tamil Nadu Schedule Commodities (Regulation of Distribution Through Card System) Order 1982 read with Section 7(1) (a)(ii) of the Essential Commodities of Act 1955 in Crime No.35 of 2022, on the file of the respondent police, seeks bail.

2. When the petitioner herein, the driver of the lorry, was carrying 4500 kgs of PDS rice illegally, he was arrested along with the PDS rice on 25.02.2022. The owner of the vehicle along with the contraband is still absconding. The police is unable to secure him. This petitioner, being a Driver, seeks bail stating that he was not aware of the fact that the goods, he was transporting, does not have valid permit.

3.This Court, though not able to countenance the submission of the petitioner, but taking note of the fact that the petitioner is in prison for nearly 35 days and the custodial interrogation of the petitioner has not been sought for by the respondent police till



date, this court is of the view that the petitioner may be granted bail subject to certain conditions. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Vellore.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned 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 Investigating Officer 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) on breach of any of the aforesaid conditions, the learned Judicial 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/-
01/04/2022

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.IV, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
CIVIL SUPPLY C.I.D. VELLORE,
VELLORE DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO.5013

CRL OP.7658/2022

Date :01/04/2022

TA-04/04/2022