



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10927 of 2022

CHANDRASEKAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CSCID-VELLORE POLICE STATION,
VELLORE DISTRICT.
(CRIME NO.43 OF 2022)

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR. S.UDHYAKUMAR, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under sections 6(4) of TNSC (RDCS) Order 1982 read with Section 7(1) (a) (ii) of Essential Commodities Act, 1955 in Crime No.43 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 4000kgs of PDS rice in 80 bags, each bag containing 50 kgs of PDS rice. Hence the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution and that he has been falsely implicated in this case. Hence he pleads for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent raised objection for granting anticipatory bail to the petitioner stating that the petitioner was found in possession of 4000kgs of PDS rice in 80 bags, each bag containing 50 kgs of PDS rice.



5. On a perusal of Mahazar, it is seen that the entire rice has been recovered from the bush in Thuraippakkam to Mahanipattu Road near kaveripakkam. However, the petitioner/accused was not arrested on the spot and it is alleged by the respondent police that the petitioner was identified by some unknown persons. But no statement has been recorded from the persons who identified this petitioner who had left the seized goods. Under this Circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the Learned Judicial Magistrate No.1, Walajapet, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(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 petitioners in accordance with law as if the conditions has 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

12/05/2022

WEB COPY

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.I, WALAJAPET

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CSCID-VELLORE POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges
Sr.7041

CRL OP.10927/2022

Date :12/05/2022

RVR 16/05/2022