



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11318 of 2022

MANOBHARATHI

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU
THE INSPECTOR OF POLICE,
CSCID POLICE STATION,
NAMAKKAL DISTRICT
(CRIME NO.65/2022)

[RESPONDENT]

For Petitioner : M/S DEEPAN UDAY Advocate

For Respondent : M/S.R.KISHORE KUMAR, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodity (RDCS) Order, 1982 and r/w Section 7(1) (a)(ii) of the Essential Commodities Act, 1955, in Crime No.65 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 9300 Kgs of ration rice in 156 bags. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He would further submit that he has been falsely implicated in this case and he is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal side) appearing for respondent would submit that the petitioner was found in possession of 9300 Kgs of PDS rice in 156 bags. He would also submit that the petitioner has no previous case against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner shall donate 50 bags containing 50 Kgs of Ponni rice and 100 kgs. of door dhal to ALL THE CHILDREN TRUST, 22 Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil Nadu 641028 [Contact Person : Ms.Sivaranjani, Cell Nos. 9551799919; 9003298704] and on such donation, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-II, Namakkal, and on their executing 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 learned Magistrate concerned and the petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall donate 50 bags each containing 50 Kgs of Ponni rice and 100 kgs. of toor dhal to ALL THE CHILDREN TRUST, 22 Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil Nadu 641028 [Contact Person : Ms.Sivaranjani, Cell Nos. 9551799919; 9003298704]

[c] the petitioner shall stay at Chennai and report before the Inspector of Police, Egmore Police Station, Chennai for the period of two weeks during morning and evening hours and thereafter report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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 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;

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

-sd/-

18/05/2022

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.II, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT. [FOR INFORMATION]

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

4 THE INSPECTOR OF POLICE,
EGMORE POLICE STATION, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
ALL THE CHILDREN TRUST, 22 RAMALINGAPURAM,
SRI KANNAPIRAN MILL OPPOSITE,
SOWRIPALAYAM ROAD, COIMBATORE,
TAMIL NADU 641028
[CONTACT PERSON : MS.SIVARANJANI,
CELL NOS. 9551799919; 9003298704]

+1 CC to M/S DEEPAN UDAY Advocate on payment of necessary
charges SR.NO. 7287

CRL OP.11318/2022

Date :18/05/2022

RW 19/05/2022