



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12344 of 2022

KANAGARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CSCID-POLLACHI,
COIMBATORE DISTRICT
(CRIME NO.51/2022)

[RESPONDENT]

For Petitioner : M/S. W.CAMYLES GANDHI Advocate

For Respondent : MR.V.MEGANATHAN, Govt. Advocate (Cr1. 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 Commodities (RDCS) Order 1982, Section 7(1) (a) (ii) of Essential Commodities Act, 1955, in Crime No.51 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was illegally transported 1100 kgs of PDS rice using Maruthi 800 bearing Regn. No. TN-33-AH-4893. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. Hence, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Cr1.Side) submitted that the petitioner was illegally transporting 1100 Kgs of PDS rice. 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 on imposing certain conditions.

6. Accordingly, the petitioner is directed to donate 10 bags of Ponni Rice containing 50 kgs in each bag to ALL THE CHILDREN TRUST, No.22 Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil Nadu 641028, Contact Person : Ms.Sivaranjani Cell Nos. 9551799919; 9003298704 and on such compliance, 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 on which the order copy made ready, before the learned Judicial Magistrate - IV, Coimbatore 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 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 comply the aforesaid rice bags to ALL THE CHILDREN TRUST, No.22 Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil Nadu 641028, Contact Person : Ms.Sivaranjani Cell Nos. 9551799919; 9003298704.

[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 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.

WEB COPY

-sd/-

26/05/2022

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-IV,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CSCID-POLLACHI,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SECRETARY,
ALL THE CHILDREN TRUST,
NO.22 RAMALINGAPURAM,
SRI KANNAPIRAN MILL OPPOSITE,
SOWRIPALAYAM ROAD, COIMBATORE, TAMIL NADU 641028.
CONTACT PERSON : MS.SIVARANJANI
CELL NOS. 9551799919; 9003298704

+1CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary charges SR.No.7979

CRL OP.12344/2022

Date :26/05/2022

CSK 31/05/2022