



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12749 of 2022

N.SATHISH KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
INSPECTOR OF POLICE,
CSCID POLICE VELLORE,
VELLORE DISTRICT.
(CRIME NO.93 OF 2022)

[RESPONDENT]

For Petitioner : M/S.M.SATHISH KUMAR Advocate

For Respondent : M/S.V.MEGANATHAN, 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 at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order, 1982, r/w Section 7(1) a (ii) of the E.C. Act, 1958, in Crime No.93 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused illegally transported 120 bags of PDS rice each containing 50 Kgs. Hence the case.

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



4. The learned Government Advocate (Crl. Side) submitted that the petitioner along with other accused illegally transported 120 bags of PDS rice each containing 50 Kgs. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking note of 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 directed to donate 60 bags of raw Ponni Rice (each containing 50 kgs), each 10 bags to the following orphanages;

1. CHILDREN TRUST, No. 22 Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil Nadu 641028 (Contact Person : Ms.Sivaranjani, Cell Nos. 9551799919; 9003298704).

2. ANABALAYAM STUDENT ORPHAN HOME, Kilaku Vasal, Jagir Reddipatty, Salem-636302, Near Salem Milk Dairy, (Contact Nos: 9994568269, 9994568268).

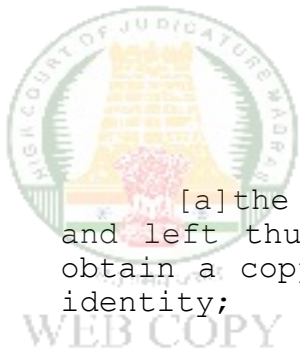
3.UDAVAUM KARANGAL, No.460, 25th street, NSK Arumbakkam, Chennai-600106 (Contact Nos: 044-26216321, 26216421, 26222161).

4.KAAKUM KARANGAL, Old-7, New-39, East Madha Street, Thiruvannamiyur, Nr Temple Tank, Chennai-600041 (Contact Nos. 044-24401825).

5.KARUNAI ILLAM, Senthil Nagar, Kavundampalayam, Coimbatore-641030, Opposite to Kalpana Kalyana Mandapam. (Contact Nos:9498430523, 9486889698)

6.SIVANANDA SARASWATHI SEVSHRAM, Mangalpur, Kattankulathur, Kancheepuram District-603203, Next to S.R.M Engineering College. (Contact Nos:9144-27452345 and 9144 27451815).

On production of receipt from the said Trusts/Orphanages, 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 No.IV, Vellore, Vellore District, 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 donate totally 60 bags of raw Ponni Rice, each containing 50 kgs to the above said Trust / orphanages as stated above and the acknowledgment for the same shall be produced before the concerned Magistrate at the time of executing sureties.

[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.

-sd/-
27/05/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.IV, VELLORE, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 INSPECTOR OF POLICE,
CSCID POLICE VELLORE,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

6 THE SECRETARY,
ANABALAYAM STUDENT ORPHAN HOME,
KILAKU VASAL, JAGIR REDDIPATY,
SALEM-636302, NEAR SALEM MILK DAIRY,
(CONTACT NOS: 9994568269, 9994568268).

7 THE SECRETARY,
UDAVAUM KARANGAL, NO.460, 25TH STREET, NSK
ARUMBAKKAM, CHENNAI-600106
(CONTACT NOS: 044-26216321, 26216421, 26222161).

8 THE SECRETARY,
KAAKUM KARANGAL, OLD-7, NEW-39,
EAST MADHA STREET, THIRUVANMIYUR,
NR TEMPLE TANK, CHENNAI-600041
(CONTACT NOS. 044-24401825).

9 THE SECRETARY,
KARUNAI ILLAM, SENTHIL NAGAR,
KAVUNDAMPALAYAM, COIMBATORE-641030,
OPPOSITE TO KALPANA KALYANA MANDAPAM.
(CONTACT NOS:9498430523, 9486889698)

10 THE SECRETARY,
SIVANANDA SARASWATHI SEVSHRAM, MANGALPURI,
KATTANKULATHRU, KANCHEEPURAM DISTRICT-603203,
NEXT TO S.R.M ENGINEERING COLLEGE.
(CONTACT NOS:9144-27452345 AND 9144 27451815).



+1 CC to M/S.M.SATHISH KUMAR Advocate on payment of necessary charges SR.NO. 7995

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CRL OP.12749/2022

Date :27/05/2022

RW-01/06/2022