



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.12742 of 2022

VIGNESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
CSCID-CHENNAI,
KRISHNAGIRI DISTRICT
(CRIME NO.39 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : MR.V.MEGHANATHAN, 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 Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and r/w Section 7 (1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No. 39 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is arrayed as A3 and he is the owner vehicle bearing Registration No.TN-29-AD-0175 in which A1 and A2 illegally transported 50 kgs in 300 bags of PDS rice in the said vehicle. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the vehicle and that he has been falsely implicated in this case. It is further submitted 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 (Criminal Side) submitted that the petitioner is the owner of the vehicle in which A1 and A2 were illegally transported 50 kgs in 300 bags of PDS rice. Hence, 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 hand over

(i) 25 bags of raw Ponni Rice, each containing 50 kgs to Anbalayam Student Orphan Home Kilaku Vasal, Jagir Reddipatty, Salem-636 302, Near Salem Milk Dairy (Ph:99945 68269, 9994568268);

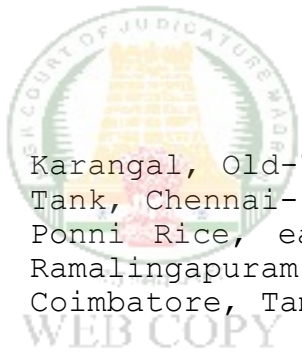
(ii) 25 bags of raw Ponni Rice, each containing 50 kgs to Udavum Karangal, No.460, 25th Street, NSK Nagar, Arumbakkam, Chennai-600 106 (Ph.044-26216321, 26216421, 26222161);

(iii) 25 bags of raw Ponni Rice, each containing 50 kgs to Kaakkum Karangal, Old-7, New-39, East Madha Street, Thiruvannamiyur, Near Temple Tank, Chennai-600 041 (Ph.044-24401825); and

(iv) 25 bags of raw Ponni Rice, each containing 50 kgs to All the Children Trust, 22, Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil nadu 641 028 (Cell Nos.9551799919; 9003298704) and on production of receipt from the above said Trusts, 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.I, Krishnagiri, 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 hand over (i) 25 bags of raw Ponni Rice, each containing 50 kgs to Anbalayam Student Orphan Home Kilaku Vasal, Jagir Reddipatty, Salem-636 302, Near Salem Milk Dairy (Ph:99945 68269, 9994568268); (ii) 25 bags of raw Ponni Rice, each containing 50 kgs to Udavum Karangal, No.460, 25th Street, NSK Nagar, Arumbakkam, Chennai-600 106 (Ph.044-26216321, 26216421, 26222161); (iii) 25 bags of raw Ponni Rice, each containing 50 kgs to Kaakkum



Karangal, Old-7, New-39, East Madha Street, Thiruvannamiyur, Near Temple Tank, Chennai-600 041 (Ph.044-24401825); and (iv) 25 bags of raw Ponni Rice, each containing 50 kgs to All the Children Trust, 22, Ramalingapuram, Sri Kannapiran Mill Opposite, Sowripalayam Road, Coimbatore, Tamil nadu 641 028 (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.

-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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.1, KRISHANGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CSCID-CHENNAI,
KRISHNAGIRI DISTRICT



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SECRETARY,
ANBALAYAM STUDENT ORPHAN HOME KILAKU VASAL,
JAGIR REDDIPATTY, SALEM-636 302, NEAR SALEM
MILK DAIRY (PH:99945 68269, 9994568268)

6 THE SECRETARY,
UDAVUM KARANGAL, NO.460, 25TH STREET, NSK
NAGAR, ARUMBAKKAM, CHENNAI-600 106
(PH.044-26216321, 26216421, 26222161)

7 THE SECRETARY,
KAAKKUM KARANGAL, OLD-7, NEW-39, EAST MADHA
STREET, THIRUVANMIYUR, NEAR TEMPLE TANK,
CHENNAI-600 041 (PH.044-24401825)

8 THE SECRETARY,
THE CHILDREN TRUST, 22, RAMALINGAPURAM, SRI
KANNAPIRAN MILL OPPOSITE, SOWRIPALAYAM ROAD,
COIMBATORE, TAMIL NADU 641 028
(Cell Nos.9551799919; 9003298704)

+1 CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.NO.8121

CRL OP.12742/2022

Date :27/05/2022

JPA 01/06/2022