



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13498 of 2022

1 PAISAL @ PAISAL RAGUMAN
2 MANIKANDAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CIVIL SUPPLY CID,
POLLACHI,
COIMBATORE DISTRICT.
(CRIME NO.149 OF 2022)

[RESPONDENT]

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

For Respondent : MR. V.J.PRIYADARSANA, Govt. Advocate (Crl. Side)

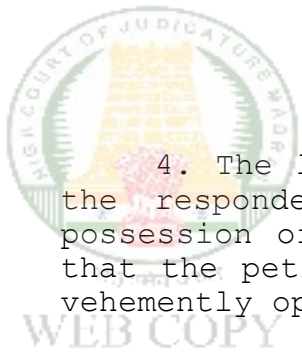
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend 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(i) (a)(ii) of the Essential Commodities Act, 1955, in Crime No.149 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found in possession of 3000 Kgs of ration rice in 60 bags. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons. He would further submit that they have been falsely implicated in this case and they are no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioners were found in possession of 3000 Kgs of PDS rice in 60 bags. He would also submit that the petitioners have no previous case against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners shall donate 45 bags containing 50kgs of raw rice and 5 bags containing 20kgs of Toor dhal to Sree Anbalayam, No.19, Shakthi Vinayagar Garden, Athamoattu Post, Coimbatore - 641010, Ph - 9894080496 and on such donation, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-IV, Coimbatore, and on their executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners 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 petitioners 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 petitioners shall donate 45 bags containing 50kgs of raw rice and 5 bags containing 20kgs of Toor dhal to Sree Anbalayam, No.19, Shakthi Vinayagar Garden, Athamoattu Post, Coimbatore - 641010, Ph - 9894080496

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

13/06/2022

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.IV, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CIVIL SUPPLY CID,
POLLACHI,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SREE ANBALAYAM, NO.19, SHAKTHI VINAYAGAR
GARDEN, ATHAMOATTU POST, COIMBATORE - 641010,
PH - 9894080496

+1 CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary charges SR.NO. 8945

CRL OP.13498/2022

Date :13/06/2022

RW-20/06/2022