



Crl.O.P.No.15630 of 2022

WEB COPY

Crl.O.P.No.15630 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 6(4) of TN Schedule Commodities (RDCS) Order, 1982 r/w 7(1)(a)(II) of Essential Commodities Act, 1950 in Cr.No.141 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The Special Tahsildhar, Flying Squad, Ranipet District lodged the present complaint alleging that A1 to A3 had illegally shifted 33 bags of PDS Rice each 50 kgs totalling to 6150 Kgs, while the civil supply lorry was parked for unloading and free distribution near the Shop No.9 and shifted to a Mini Van Ashok Leyland Dosth bearing Reg.No.TN-20 CA 6846. The petitioner, who is the Junior Assistant cum Branch Manager of Karpagam Co-operative Super Market, Arakkonam Branch has failed to supervise his sub-ordinates and discharge his duty. Hence, the complaint.



CrI.O.P.No.15630 of 2022

WEB COPY

3. The learned counsel appearing for the petitioner would submit that the petitioner is the Manager under the Tamil Nadu Civil Suppliers Co-operative Society and he has to supervise 250 shops. Even according to the case of the prosecution, while transferring the essential commodities from the Government Lorry to private lorry, the other accused persons were caught red handedly. They have been arrested and and they are under incarceration.

4. As far as the petitioner is concerned, considering the above facts and circumstances, custodial interrogation of the petitioner is does not required. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, 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



Crl.O.P.No.15630 of 2022

WEB COPY

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 report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.



WEB COPY



Crl.O.P.No.15630 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

07.07.2022

mpl

Crl.O.P.No.15630 of 2022