



Crl.O.P.No.16998 of 2022

Crl.O.P.No.16998 of 2022

WEB CO **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 6(4) Tamil Nadu Schedule Commodities (RDCS) order 1982 r/w. Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.87 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused transported 3000 Kgs of PDS rice by using TATA ace Vehicle. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He would further submit that he has been falsely implicated in this case and 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) appearing for the respondent would submit that there are totally 2 accused involved in this case. A2 was arrested and released on bail. A1 is the owner of the rice. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



CrI.O.P.No.16998 of 2022

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 donate 10 bags containing 50 kgs of raw rice and 2 bags containing 25 kgs of Toor dhal to ***Sevalaya Swami Vivekananda Orphanage Home, Kasuva Village, Pakkam(po), Near Thiruninravur-602 024, Tiruvallur District Ph.7299004456*** and on such donation, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before ***the learned Judicial Magistrate No.I, Tiruvallur*** on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy is made ready, 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 10 bags containing 50 kgs of raw



CrI.O.P.No.16998 of 2022

rice and 2 bags containing 25 kgs of Toor dhal to ***Sevalaya Swami Vivekananda Orphanage Home, Kasuva Village, Pakkam(po), Near Thiruninravur-602 024, Tiruvallur District, Ph.7299004456.***

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., and 5.30 p.m, until further orders.

[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.

21.07.2022

mn

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.No.16998 of 2022

mn

Crl.O.P.No.16998 of 2022

21.07.2022