



Crl.O.P.No.18261 of 2022

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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) of TNSC (RDCS) order 1982 r/w 7(1)(a)(ii) of EC Act, 1955 in Crime No.227 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused illegally transported 6000 Kgs of PDS rice. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that he was granted anticipatory bail by this Court in Crl.O.P.No.22611 of 2021 on 1.12.2021, but he was unable to surrender and comply with the conditions due to Covid lock down. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioner was involved in illegal



transportation of 6000 Kgs 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 donate 20 bags containing 50 kgs of raw rice and 4 bags containing 25 kgs of Toor dhal to ***Sharanalayam Children Home & Adoption Unit, 221/2A1, Sirphy Industrial Estate, Singarampalayam Pirivu, Kinathukadavu, Pollachi, Ph. 9442574204*** 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.IV, Coimbatore on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with 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



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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 20 bags containing 50 kgs of raw rice and 4 bags containing 25 kgs of Toor dhal to ***Sharanalayam Children Home & Adoption Unit, 221/2A1, Sirphy Industrial Estate, Singarampalayam Pirivu, Kinathukadavu, Pollachi, Ph. 9442574204.***

[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.

03.08.2022

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