



CrI.O.P.No.20001 of 2022

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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 Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Cr.No.241 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 3750 Kgs of PDS rice in 75 bags, each bag containing 50 kg. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are two accused in this case in which, the petitioner is arrayed as



Crl.O.P.No.20001 of 2022

A2 and A1 was already arrested. The petitioner was found in possession of 3750 Kgs of PDS rice. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148, and on such deposit the petitioner is ordered to be released on bail.

6. 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 Court-I, Thiruvallur, on condition that the petitioner



Crl.O.P.No.20001 of 2022

WEB COPY

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 deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148.

[c] the petitioner shall report before the respondent police daily at 10.30 for a period of two weeks and thereafter as and when required for interrogation.



CrI.O.P.No.20001 of 2022

WEB COPY

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]**.

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

24.08.2022

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Crl.O.P.No.20001 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.20001 of 2022

24.08.2022