



Crl.O.P.No.21311 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(2)(3) of TNSC (RDCS) order of 1982 r/w 7(1)a(ii) of Essential Commodities Act, in Crime No. 210 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as a packer in Tamil Nadu Civil Supplies Corporation Limited and that there was a shortage of PDS rice to the tune of Rs.84,865/-. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is a physically challenged person and due to shortage in stock, the petitioner was made as an scape goat and the respondent has foisted a false case against the petitioner. He would submit that enquiry has been conducted and the petitioner without prejudice to his defence, had deposited a sum of Rs.84,865/- in favour of Tamil Nadu Civil Supplies Corporation Limited. He would submit that there is no previous case pending against the petitioner. Therefore, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (crl.side) would submit that the petitioner was working as a Packer in Tamil Nadu Civil Supplies Corporation Limited and that in the stock, there was a shortage of PDS rice to the tune of Rs.84,865/-. He would further submit that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and also taking note of the fact that the alleged amount has been paid by the petitioner to the Tamil Nadu Civil Supplies Corporation Limited, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Tiruvottriyur, Thiruvallur District** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties** each for a like sum to the satisfaction of the respondent police or the police officer who intends



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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 **every day at 10.30 am for a period of two weeks and thereafter as 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]**.



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

22.09.2022

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