



CrI.O.P.No.25314 of 2022

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

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982, r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.93 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally stocked 32,800 kilograms of PDS Rice kept in 656 bags. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has no way connected with the alleged offence. He would further submit that a false complaint has been foisted as against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner was found in illegal possession of 32,800 Kgs of PDS Rice. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. It is seen that though this Court on two occasions, dismissed the anticipatory bail petition filed by the petitioner however, the respondent did not take any steps to secure the petitioner. Therefore, the investigation is still pending in the absence of the petitioner.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of **Rs.2,00,000/-** (Rupees Two Lakhs only) as non refundable deposit to the credit of the **METTUR PAVENTHAR BHARATHIDASAN NARPANI MANDRAM;** A/c No : 6527280724; IFSC code : IDIB000M034; Bharathi Nagar, Mettur Dam-1, Salem District; for the purpose of constructing library and on such deposit, 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.I, Thiruvallur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood relative 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 deposit a sum of **Rs.2,00,000/-** (Rupees Two Lakhs only) as non refundable deposit to the credit of the **METTUR PAVENTHAR BHARATHIDASAN NARPANI MANDRAM**; A/c No : 6527280724; IFSC code : IDIB000M034; Bharathi Nagar, Mettur Dam-1, Salem District..

[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]**.

G.K.ILANTHIRAIYAN, J.



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

19.10.2022

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