



Crl.O.P.No.24620 of 2022

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

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Clause 6(4) of TNSC (RDSCS) Order, 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No. 136 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 09.07.2022, by using a lorry of Registration No.KL 06 D 7842, the petitioner along with other person transported 12 tonnes of PDS rice illegally. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that this is the third anticipatory bail petition filed by the petitioner. Earlier petitions filed by the petitioner were dismissed by this Court. He also submitted that the petitioner is ready and willing to deposit some reasonable amount as directed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that PDS rice involved in this case is 12 tonnes which is a huge quantity. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Though, this Court had dismissed the earlier anticipatory bail petitions filed by the petitioner on two occasions, the respondent failed to secure the petitioner so far. Therefore, no purpose would served if the anticipatory bail petition is dismissed as against 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.1,00,000/-** (Rupees One Lakh only) as non refundable deposit to the credit of the **RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431** 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



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learned Judicial Magistrate-II at Tiruppur, on condition that the petitioner shall execute 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 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.1,00,000/-** (Rupees One Lakh only) as non refundable deposit to the credit of the **RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431.**

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, and 04.30 p.m, for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

12.10.2022

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