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CrI.OP.No.24239 of 2022

CrI.O.P.No.24239 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 285 and 420 IPC r/w Section 7(1)(a)(i) of Essential Commodities Act, 1995 in Crime No.193 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that based upon a secret information on 23.08.2022, the respondent police went to the Bangalore-Chennai Highway Road at Sumaithangi Village and found that the petitioner along with other accused were in possession of 260 Litres of diesel and 20 Litres of Petrol without any valid license. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, the petitioner is ready and willing to denote a sum of Rs.50,000/- to the credit of RAY OF LIGHT FOUNDATION. Hence, he



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prays to anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused were in possession of 260 Litres of diesel and 20 Litres of Petrol without any valid license. He would further submit that there are five previous cases pending as against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both the counsels, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions:

6. Accordingly, the petitioner shall donate a sum of Rs.50,000/- (Rupees fifty thousand only) 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 within a period of two weeks



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from the date of receipt of a copy of this order and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-II, Walajapet on condition that the petitioner shall execute a separate 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 donate a sum of Rs.50,000/- (Rupees fifty thousand only) 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 within a period of two weeks from the date of receipt of a copy of this order.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. and 5.30 p.m for a period of four weeks and thereafter as



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and when required for interrogation.

[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.

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