



Crl.O.P.No.27719 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodity (RDCS) Order, 1982 and r/w Section 7(1)(A)(1)(ii) of the Essential Commodities Act, 1955, in Crime No.204 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent Police and their team were on regular patrol, it was found that the petitioner along with other accused transported 500 bags of PDS Rice, each bag containing 50 Kgs in a lorry, without any valid license. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent persona and he is no way connected with the alleged offence and only based on the confession statement given by the co-accused, the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that there are totally two accused in this case, in which the petitioner is arrayed as A2. The petitioner along with other accused transported 500 bags of PDS Rice each bag containing 50 Kgs, in a lorry illegally and the petitioner is the owner of the vehicle. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, **the petitioner shall donate a sum of Rs.1,50,000/- (Rupees One Lakh 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,** 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



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the date on which the order copy made ready, before the learned **Judicial Magistrate No.IV, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with **two blood 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.1,50,000/- (Rupees One Lakh 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.**

[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;



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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]*; and;

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

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