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Crl.O.P.No.30432 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offences punishable under Section 6(2) and 6(3) of TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of EC Act, 1955 in Crime No.220 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that one Mrs.Uma Shankari, Deputy Registrar (PDS) lodged a complaint before the respondent police alleging that one Mr.V.Pandian, Cooperative Sub Registrar, Perambur Zone sent a report to her that there was a deficiency of stock found in Perambur, Kumaran Nagar – Fair Price Shop (02CB036NC) run by the Park Town Co-operative Whole Sale Stores Ltd. On inspection it was found that there was a deficiency in stocks in the said shop. Thereafter he sent a report to the defacto complainant Mrs.Uma Shankari based on the report of Mr.V.Pandian, she has lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instructions, the learned



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counsel further submitted that the petitioner, on his own volition, he is ready and willing to contribute some amount to any charitable trust as imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that an amount of Rs.90,000/- has been repaid by the petitioner to the credit of the Park Town Cooperative Whole Sale Stores Ltd.,Chennai. He further submitted that there are no previous cases pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned VI Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten thousand only) with two 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 is directed to report before the respondent police **as and 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



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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]**.

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

12.12.2022

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