



Crl.O.P.No.19 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(i)(a)(ii) of EC Act 1955 in Crime No.232 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on receiving a secret information, the respondent Police along with his team conducted vehicle checkup and they have found that the accused were transporting 1530 kgs of PDS rice. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged offence. He would further submit that based on the confession statement recorded from the arrested accused, the petitioners have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners were found to be in illegal possession of 1530 kgs of PDS rice. He would submit that there is no previous case pending against them. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.In reply, the learned counsel for the petitioners would submit that without prejudice, the petitioners are ready and willing to deposit a total sum of Rs.15,000/- to any Charitable Institute as may be directed by this Court and he would pray for grant of anticipatory bail to the petitioners.

6.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

7.Considering the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that there is



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no previous case pending against them, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are jointly directed to **deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) by way of Demand Draft/RTGS/NEFT to "Dhanabakkiammal Social Welfare Trust, D-3, 1/338, Vasantham Apartment, Sabari Salai, Madipakkam, Chennai 91. A/c No.921010003441816, Axis Bank, Madipakkam Branch, IFSC Code:UTIB0000083, Cell No.9840894264, and** on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.IV, Coimbatore, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees 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



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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 report before the respondent police station daily at 10.30 a.m., until further orders.

(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 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;



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(f)if the accused thereafter absconds, a fresh
FIR can be registered under Section 229-A IPC;

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