



Crl.O.P.No.75 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 6(4) of Tamilnadu Scheduled Commodity (RDCS) Order, 1982 read with Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.271 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal transportation of 500 kgs of PDS rice in vehicle bearing registration number TN 57 BK 9741. Hence, the complainant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the petitioner was found in illegal transportation of 500 kgs of PDS rice in vehicle bearing registration number TN 57 BK 9741. He further submitted that there



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was no previous case as against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances, 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, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Tiruppur**, on condition that the petitioner 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 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 every Saturday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

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



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[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]**.

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

05.01.2023

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