



Crl.O.P.No.1753 of 2023

Crl.O.P.No.1753 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 04.01.2023 for the alleged offence under Sections 166, 167, 420 and 120(b) of I.P.C. and subsequently it was altered into Sec.166, 167, 420, 465, 467, 468, 471, 409, 120 (b) of I.P.C. in Crime No.01 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that during the Kharif Marketing Season, upon the request made by the farmers, the Central Government approved for the direct procurement of paddy from the farmers through the direct procurement centres, which was under the control District Collector. After the approval of District Collector and upon verification of Patta and Chitta of farmer or the VAO certificate, the Tamil Nadu Civil Supplies Corporation permitted for direct procurement of paddy from the farmers. However, the defacto complainant alleged in his complaint that during 01.10.2020 to 30.09.2021, the officers along with staff, who worked in Tamil Nadu Civil Supplies Corporation at Vellore Regional office in the direct paddy procurement centres, in collaboration



CrI.O.P.No.1753 of 2023

WEB COPY

with individuals procured paddy without proper scrutiny and also cheated the Government by not implementing the government scheme properly for personal gain and misuse of State Scheme, thereby caused loss to the tune of Rs.315 crores to the State Government by not giving incentives to the farmers. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is a rice merchant and owner of rice mill. He would submit that he has nothing to do with the office and neither his name found in the F.I.R. nor any overtact is attributed against the petitioner. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent police and he has been falsely implicated in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 25 days from 04.01.2023. Hence, he prayed to grant bail to the petitioner.



Crl.O.P.No.1753 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, 33 accused involved in this case. He would submit that the petitioner is a merchant and he is acted as a mediator and colluded with the staffs related to paddy procurement at Vellore region and procured the paddy without following the guidelines of Tamil Nadu Consumer Goods Corporation. He would further submit that without having real farmers, they themselves generated bills and disbursed the amount directly to the bank, thereby diverted the Government Scheme for unlawful gain and caused loss to the Government to the tune of Rs.315 crores. He would submit that almost most of the accused are arrested and some of the petitions seeking for bail filed by the accused are dismissed and now they are in judicial custody. He would submit that more than a crore amount was involved in this case and he is a owner of rice mill. He would also submit that if he is released on bail, the would tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No.1753 of 2023

WEB COPY

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner by colluding with the government officials, violated the procurement rules and guidelines by selling paddy and without having real farmers, he generated bills and disbursed the amount directly to the bank and also considering the fact that if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

30.01.2023

rpp



WEB COPY



Crl.O.P.No.1753 of 2023

T.V. THAMILSELVI, J.

rpp

Crl.O.P.No. 1753 of 2023

30.01.2023