



Crl.O.P.No.2985 of 2023

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**T.V.THAMILSELVI,J.**

The petitioner, who apprehend arrest for the alleged offences punishable under Section 6(4) of TNSC (RDCS) order, 1982 r/w 7(1)(a)(ii) EC Act, 1955 in Crime No.120 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner was found in illegal possession of 1,100 Kgs of PDS rice worth about Rs.1,30,000/-. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged. However, on instructions, the learned counsel submitted that the petitioner, on their own volition, are ready and willing to contribute a sum of Rs.10,000/- each to the credit of the Registered Advocates Clerks Association, Dharmapuri, that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner were found in illegal possession of 1,100 Kgs of PDS rice. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.I, Dharmapuri** on condition that each of the petitioner shall execute a separate 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:



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[a] the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** to the credit of the Registered Advocates Clerks Association, Dharmapuri within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] 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;

**[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30a.m., for a period of eight weeks;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;



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[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]**;

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

**15.02.2023**

*rap/skt*

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