



Crl.O.P.No.4000 of 2023

Crl.O.P.No.4000 of 2023

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w 7(i) a(ii) of E.C. Act, 1955, in Crime No.17 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that, on 30.01.2023, when the respondent police were on their regular patrol, found that A1 and A2 have illegally transported 18,000 Kilograms of PDS rice in a lorry bearing Registration No.AP 26 TT 0599, without any permission or license from the Government. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that, based on the confession statement of A1 and A2, the petitioner has been falsely implicated in this case. He would also submit that the co-accused/A3 was granted anticipatory bail by this Court. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.20,000/- to the credit of the



Crl.O.P.No.4000 of 2023

Vadalur Sathya Dharma Salai, Thiruarutprakasa Vallalar Dheiva Nilayam,

Vadalur – 607 303, Cuddalore District. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that A1 and A2 have illegally transported 18,000 Kilograms of PDS rice in a lorry bearing Registration No.AP 26 TT 0599, without any permission or license from the Government. He would also submit that, based on the confession statement of A1 and A2, the petitioner has been arrayed as an accused in this case. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready and willing to contribute a sum of Rs.20,000/- to the credit of the Vadalur Sathya Dharma Salai, 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 his appearance before the learned **Judicial Magistrate**



CrI.O.P.No.4000 of 2023

No.1, Krishnagiri, 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 is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of **Vadalur Sathya Dharma Salai, Thiruarutprakasa Vallalar Dheiva Nilayam, Vadalur - 607303, Cuddalore District, A/c.Name: Vallalar Deiva Nilayam, Vadalur, A/c.No.028101000000232, Indian Overseas Bank, Vadalur Branch, Branch Code-0281, IFSC Code-IOBA0000281** 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 Wednesday at 10.30 a.m., for a period of eight weeks;



WEB COPY



Crl.O.P.No.4000 of 2023

T.V.THAMILSELVI,J.

sp

[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;

[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.

27.02.2023

sp

Crl.O.P.No.4000 of 2023