



Cr.O.P.No.4019 of 2023

Cr.O.P.No.4019 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 in Cr.No.21 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons were involved in illegal transportation of about 1800 Kgs of PDS rice by using a vehicle bearing Registration No.AP-39-UA-6975. Hence this complaint.

3. Learned counsel for the petitioner submitted that, the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.side) submits that the petitioner along with other accused persons were involved in illegal transportation of



CrI.O.P.No.4019 of 2023

about 1800 Kgs of PDS rice. He further submitted that the petitioner herein is the owner of the vehicle bearing Reg.No.AP-39-UA- 6975. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner, on his own volition, is ready to deposit an amount of Rs.10,000/- to the credit of the Madras High Court Advocate Clerks Welfare Association, Chennai, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to make a non-refundable deposit of a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the Madras High Court Advocate Clerks Welfare Association, Chennai within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned VI Metropolitan Magistrate Court, Egmore**, 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



CrI.O.P.No.4019 of 2023

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 shall make a non-refundable deposit of Rs.15,000/- (Rupees Fifteen Thousand Only) to the credit of the Madras High Court Advocate Clerks Welfare Association, Chennai, within a period of four weeks from the date of receipt of a copy of this order.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

(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,



WEB COPY



CrI.O.P.No.4019 of 2023

the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner

T.V.THAMILSELVI, J.

skt

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;

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

24.02.2023

skt



WEB COPY



CrI.O.P.No.4019 of 2023

CrI.O.P.No.4019 of 2023