



Crl.O.P.No.4798 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) order 1982, r/w 7(1)a(ii) of EC Act, 1955 in Crime No.18 of 2023 on the file of respondent seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 650 kgs of PDS rice. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that without prejudice, the petitioner is prepared to deposit a sum of Rs.15,000/- to any Welfare Scheme of the Government and he prays for grant of anticipatory bail to the petitioner. 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 Police would submit that the petitioner is a habitual offender and there are two previous cases pending against him. Hence he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to her defense and contention, is ready and willing to deposit an amount of Rs.15,000/- to any welfare scheme run by the Government. **He further stated that he has already filed an affidavit before this Court that he is ready and willing to pay a sum of Rs.10,000/- and now agreed to deposit a sum of Rs. 15,000/- as per the directions of this Court.**

6. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.



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7. Taking into consideration the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of, the petitioner is directed to deposit a sum of **Rs.15,000/- (Rupees fifteen Thousand only) to the credit of "District Revenue Officer, Salem "**, without prejudice to her rights and contentions before the trial Court.

8. Merely, because the petitioner deposits the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

9. Taking into consideration the facts and circumstances of the case, the submissions made on both sides and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.15,000/- to the **"District Revenue Officer, Salem "** this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

10. Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) directly to the **"District Revenue Officer, Salem "** and on such deposit and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of



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arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned II Judicial Magistrate, Thittakudi, Cuddalore** on condition that 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:

[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 daily at 10.30 a.m., until further orders.

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



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trial;

[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 absconds, a fresh FIR can be registered under Section 229A IPC;

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