



Crl.O.P.No.11688 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 3(4) of Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order, 2005 and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No. 69 of 2022, seek anticipatory bail.

2. This Court was pleased to grant anticipatory bail to the petitioner by virtue of an order dated 27.05.2022 in Crl.O.P.No.12781 of 2022. However, the petitioner pleads inability to comply with the condition imposed in the said order. On this basis, a fresh petition has been filed for anticipatory bail.

3. Considering the above facts, I am inclined to extend the time granted for complying with the condition of surety of



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Rs.10,000/- by a further period of 2 weeks from the date of receipt of a copy of this order.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Salem 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, within a period of 2 weeks, 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;



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[b] the petitioner shall report before the respondent

police as and when required for interrogation.

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



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[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

5. With the above observation, the petition is disposed of.

24.05.2023

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