



Crl.O.P.No.12473 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(4) of the Tamil Nadu Schedule Commodities (RDCS) Order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act 1955 in Crime No.68 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons were found in illegal transportation of 750 kgs of PDS rice worth about Rs.8,16,750/- (Rs.24,750 x 33). Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and they have no way connected with the alleged offence. He would also submit that without prejudice, the petitioners are



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prepared to deposit a sum of Rs.1,65,000/- to any welfare scheme of the Government and he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the petitioners along with four other accused persons were found in illegal transportation of 750 Kgs of PDS rice worth about Rs.8,16,750/-. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Merely, because the petitioners has deposited the said amount, it would not amount to admission of their guilt. Therefore, it is open to the trial Court to deal with the case independently.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the petitioners has prepared to deposit Rs.1,65,000/- to any welfare scheme of the Government, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are directed to make a non refundable deposit of Rs.1,65,000/- (Rupees One Lakh Sixty Five Thousand only) by way of Demand Draft/RTGS/NEFT to the credit of the **District Revenue Officer, Vellore District** without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.IV, Vellore, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a



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copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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