



Crl.OP.No.13226 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (Regulation, Distribution by Card System) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities (E.C) Act, 1955, in Crime No.8 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have transported 1005 kilograms of rice meant for Public Distribution illegally. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. 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 the petitioner was found in possession of 1005 kgs of PDS rice. He further submitted that there is no previous case against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5. In order to curb the illegal activities of smuggling essential commodities meant for public distribution, this Court is of the opinion that the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non refundable deposit to "The District Revenue Officer, Tiruvannamalai District" without prejudice to his rights and contentions before the trial Court.

6. 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.

7. Accordingly, the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of ***"The District Revenue Officer, Tiruvannamalai District"*** and on such deposit and production of proof, 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 -I, Thiruvannamalai*** 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



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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 every day at 10.30 a.m for a period of four weeks and thereafter on every Saturday at 10.30 a.m., until further orders.

[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 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.

15.06.2023

Vv



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A.D.JAGADISH CHANDIRA, J.

Vv

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