



Crl.O.P.No.18018 of 2023

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WEB CMT.RMT.TEEKAA RAMAN, J.

The Petitioners, who apprehend arrest at the hands of the Respondent police for the offence punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w.7(1)(a)(ii) of E.C.Act, in Crime No.134 of 2023 on the file of the Respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 20.06.2023 the Respondent Police seized vehicle bearing Reg. No.TN 70 A 2056 along with 17,600 kgs of rice, in this connection the Respondent police registered a case against five persons.

3.The learned Counsel for the Petitioners would submit that the Petitioners are neither owner of the lorry nor owner of the rice and they are falsely implicated in this case. Hence, the learned counsel for the Petitioners prays for grant of anticipatory bail to the Petitioners.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that A2 & A5 were already arrested and remanded and subsequently released on bail. The first Anticipatory Bail Petition filed by the present Petitioner was dismissed on 12.07.2023. He is vehemently opposed to grant anticipatory bail to the Petitioners.

5.Heard both sides and perused the materials available on record.



6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the fact that except this Petitioner, other Petitioners are granted either bail or anticipatory bail, I am inclined to grant anticipatory bail to the Petitioners with certain conditions.

7.Accordingly, 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 I, Thiruvallur**, on condition that the Petitioners 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 Petitioners 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 Petitioners shall report before the Respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 a.m., until further orders;**



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[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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

17.08.2023

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