



Crl.O.P.No.20110 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Stalin, who apprehends arrest for the alleged offence under Sections 6 (4) of TNSC (RDCS) Order, 1982, r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.08 of 2023, on the file of the respondent police seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that petitioner is an innocent person and he has been falsely implicated in this case. Thus, he prays for anticipatory bail for the petitioner.

3.In response, the learned Government Advocate (Crl.Side) submitted that petitioner was working as a Salesman in Ammapettai Ration Shop No.98. He had illegally and unauthorisedly sold 4,906 Kgs of PDS rice, 219 litres of Palm Oil, 47.5 Kgs of Sugar, 597 Kgs of Dall and 548 Kgs of Wheat to unauthorised persons, causing loss to the tune of Rs.2,00,925/-.



Crl.O.P.No.20110 of 2023

4. In reply, learned counsel for the petitioner that, petitioner had deposited a sum of Rs.2,95,000/- even before registration of the FIR.

5. This is the second anticipatory bail petition filed by the petitioner. This Court finds from the earlier dismissal order in Crl.OP.No.14880 of 2023 that, it was reported by the prosecution that, materials are not recovered and the loss is not covered. Now, considering the information that, petitioner had deposited a sum of Rs.2,95,000/- and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners for the reason that, custodial interrogation of the petitioners is not necessary.

5. Accordingly, 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.I, Kallakurichi** on condition that the petitioner shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



CrI.O.P.No.20110 of 2023

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 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].



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CrI.O.P.No.20110 of 2023

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

04.09.2023

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Crl.O.P.No.20110 of 2023

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Crl.O.P.No.20110 of 2023

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