



Crl.O.P.No.23326 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 6(4) of Tamil Nadu Scheduled Commodities (RCDS) Order 1992 read with 7(1)(a)(ii) of the Essential Commodities Act 1955 in Crime No.144 of 2023, seeks anticipatory bail.

2. The petitioner was found in possession of 50 kgs bag of total 11 bags of ration rice by way of Mahidra Apee Auto on 16.08.2023, necessitating registration of the first information report in Cr.No. 144 of 2023 under Sections 6(4) of TNSC (RDCS) Order 1982 read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955.

3. In view of these particular facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate No.II, Tiruppur, Tiruppur District, 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 who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the



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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]**.

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

10.10.2023

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