



Crl.O.P.No.23743 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 Sections 6 (4) of TN Scheduled Commodities (RDCS) Order 1982 r/w Section 7 (1) (a) (ii) of Essential Commodities Act 1955, in Crime No.203 of 2023, seeks anticipatory bail.

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

3.The learned Government Advocate (Crl.Side) submitted that 22 bags (1100 KGs) of PDS rice was found in possession of the petitioner herein. Petitioner has one previous case of similar nature pending against him. Thus, he prayed for dismissal of this petition.

4. Taking into consideration the facts and circumstances of the case and that the rice bags had been recovered, this Court is inclined to



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grant anticipatory bail to the petitioner. 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.I, Thiruvallur**, 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 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 without prejudice to his defence shall deposit a non-refundable sum of **Rs.20,000/- (Rupees Twenty Thousand only)**, by way of Demand Draft to the **District Revenue Officer, Thiruvallur District**, within a period of two weeks from the date of receipt of a copy of



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this order and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond; It is made clear that 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.

[c] the petitioner shall report before the respondent police daily morning at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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**



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

16.10.2023

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