



Crl.OP.No.26957 of 2023

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WEB CO **C.V.KARTHIKEYAN, J.**

Petitioner seeks anticipatory bail in Crime No.178 of 2023, registered under Section 6(4) of TN Scheduled Commodities [RDSCS] Order, 1982 and 7(1)(a)(ii) of Essential Commodities Act, 1955.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.It is stated that on 28.9.2023, the respondent received an information about the possession of 675 kilo grams of PDS rice with the petitioner. There are no previous cases against the petitioner herein. Taking all the factors into consideration and the fact that PDS rice is seized, anticipatory bail is granted, however, directing the petitioner to deposit a sum of Rs.15,000/- to the credit of the Dean, Government General Hospital, Coimbatore for the treatment of needy patients.

4.Taking into consideration the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.



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5. 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 learned Judicial Magistrate No.IV, Coimbatore**, 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 is directed to **deposit a sum of Rs.15,000/- to the credit of the Dean, Government General Hospital, Coimbatore, for the treatment of needy patients** and the petitioner is also **directed to appear before the respondent police every day at 10.30 am., for a period of two weeks and thereafter as and when required.**

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



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[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.

29.11.2023

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