



Crl.O.P.No.3306 of 2024

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**C.V.KARTHIKEYAN,J.**

The Petitioner/A1 in Crime No.149 of 2023 registered by the Respondent Police for the offences under Sections 6(4) TNSC (RDCS) order 1982 read with 7(1)(a)(ii) of EC Act, 1955, seeks anticipatory bail with respect to an occurrence which took place on 05.12.2023.

2. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

3. The learned Government Advocate (Criminal Side) stated that the Accused A4 and A5, who are the driver and cleaner of the vehicle bearing registration No.TN29 CY 1268 were taken into custody and totally 1050 Kgs of PDS rice had been recovered from the vehicle. It is stated that they had confessed about the role of the Petitioner herein. He



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is the owner of the rice and the Accused A2 and A3 had collected the rice from the general public and handed it over to the petitioner/A1. He also stated that there are three previous cases of similar nature as against him.

4. The earlier application seeking anticipatory bail was dismissed on 03.01.2024. It is stated that subsequently, A4 and A5 had been arrested and granted bail.

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner shall deposit a sum of **Rs.15,000/-** **[Rupees Fifteen Thousand Only]** *to the credit of Tamil Nadu Advocate's Clerk's Association, High Court Buildings, High Court, Chennai, Account Name: Tamil Nadu Advocate's Clerk's Association, A/c No.484026006, Indian Bank, High Court Branch, IFSC Code:IDIB000M157* and on such deposit and the production of proof, the petitioner is ordered to be released on bail in the event of arrest or on



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his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate-I, Dharmapuri* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 shall report before the respondent police everyday 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.



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[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.

26.02.2024

Vv



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Vv

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**26.02.2024**