



Crl.O.P.No.5853 of 2024

Crl.O.P.No.5853 of 2024

WEB COPY

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w 7(i)a(ii) of E.C. Act 1955 in Crime No.204 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found in illegal transportation of 9400 kgs of PDS rice worth about Rs.53,100/- with the help of two wheeler without any valid permission. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that based on the confession of A1, these petitioners were falsely implicated in this case. He further submits that A1 was arrested and released on bail. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.5853 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners were found in illegal transportation of 9400 kgs of PDS rice worth about Rs.53,100/- with the help of two wheeler without any valid permission. He further submits that the petitioners has no previous case pending against them. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.I, Krishnagiri*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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



Crl.O.P.No.5853 of 2024

Magistrate concerned and on further condition that:

(a) Each of the petitioners is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the **Advocate Clerk Association, Krishnagiri District**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioners shall report before the respondent police on every Sunday at 10.30 a.m, for a period of three months;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;



WEB COPY



Crl.O.P.No.5853 of 2024

T.V.THAMILSELVI, J.

drl

[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 has been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid own by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

04.04.2024

drl

Crl.O.P.No.5853 of 2024