



Crl.O.P.No.9435 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Section 6 (4) of TN Scheduled Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.137 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on 04.03.2024, based on the secret information patrolling near Hotel Valli Bhavan, Madhavaram, GNT Road while waylaid two lorries viz., TN 18 AD 6459 and TN 09 AU 5433 both driver tried to escape from the scene and subsequently caught by the police officials and inspecting the vehicles, at that time they found A1 and A2 in possession of TNPDS rice 1250 Kg and 1500 Kg respectively, based on the instruction of this petitioner they delivered the PDS rice without any proper document and the total property value worth about Rs.99,000/-. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has no knowledge about this case and he has not committed any offence as alleged by the respondent police and he is nothing to do with the aforesaid crime. He is ready and willing to abide by any conditions imposed by



this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is an habitual offender and a history sheeter. Based on the confession of the co-accused he has been roped as A3 in this case. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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.1, Tiruvallur, 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 the petitioner, 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 Court concerned 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.30,000/- (Rupees Thirty Thousand Only) to the credit of Aram Seya Virumbu, A/c.No.423150050800264, IFSC Code - TMBL0000423, Tamil Nadu Mercantile Bank, Ambasamudram, 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;

(c) the petitioners shall appear before the respondent police as and when required;

(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



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Crl.O.P.No.9435 of ____

conditions have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge himself as laid down 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.

17.04.2024

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Crl.OP.No.9435 of 2024

17.04.2024