



Crl.O.P.No.10367 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 6(4) and 7(1)(a)(ii) of the Tamil Nadu Scheduled Commodities (RDCS) order 1982, Essential Commodities Act, 1955, in Crime No.26 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons were found in illegal possession of 106 bags of PDS rice, each containing 50 kgs, without any valid licence. Hence, the complaint.

3.The earlier application seeking anticipatory bail filed by the petitioner was dismissed by this Court on 08.03.2024 in Crl.O.P.No.5706 of 2024. The change in circumstance is that A1, A2 and A3 who had been arrested, had been released on bail. A4 had also been granted anticipatory bail.

4. Taking into consideration all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner subject to the



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following conditions:

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5. Accordingly, the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Government Leprosy Rehabilitation Home, Paranur, Chengalpet** and on such receipt and receipt of proof of payment, 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.II, Salem, on condition that petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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.



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(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;

(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 SCW5560]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

26.04.2024

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