



Crl.O.P.No.12333 of 2024

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**C.SARAVANAN, J.**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order 1982 r/w. 7 (i) (a)(II) Essential Commodities Act, 1955 in Crime No.55 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were in illegal possession of Ration shop materials i.e, 6055 Kgs of PDS Rice. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been impleaded as 4th accused in the aforesaid case and he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioner stating that the petitioner was involved in smuggling of 6055 Kgs of PDS packed rice. He further submit that there are no previous case against the petitioner.



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5. Taking into consideration the above facts and circumstances of the case and the submissions of both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.35,000/- (Rupees Thirty five Thousand Only) to the credit of Crime No.55 of 2024 before the District Revenue Officer, Ariyalur** and on such deposit, 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-II, Perambalur** 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;



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**[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

**[c] the final order in respect of the said deposit, shall be passed by trial Court, at the time of conclusion of trial;**

[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 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]; and;

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

**23.05.2024**

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