

Crl.O.P.No.14151 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offences punishable under Section 6(4) of the TN Scheduled Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.108 of 2024, on the file of the respondent Police seeks anticipatory bail.

2.The case of the prosecution is that on 09.04.2024, the lorry bearing Registration No.TN 69 AF 7834 along with 360 bags of rice reached Madukkarai Tollgate and the respondent Police verified the rice variety and seized the lorry on the ground that the rice was PDS rice. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case as he was illegally transporting the PDS rice belonging to Tamil Nadu, but in fact the petitioner is from Andhra Pradesh and he is transporting rice to Kerala. On the way of transportation, the vehicle was seized. He further submitted that the vehicle and goods were seized by the police and prayed for granting anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that on investigation it is found that the rice was PDS rice and it was attempted to be illegally transported to the state of Kerala. Hence, on the complaint the vehicle and goods were seized. He further submitted that there are no previous case against the petitioner and the total seized rice was about 20,080 kgs and opposed for granting anticipatory bail to the petitioner.

5.Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, **the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) as non-refundable deposit** to the credit of **Arignar Anna Government Hospital of Indian Medicine, in A/c. No.110101106507, Canara Bank, Aminjikarai, Chennai-600 029 IFSC Code : CNRB0016021 within a period of two weeks from the date of receipt of copy of this order** 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 (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate-IV, Coimbatore, Coimbatore District***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, **out of which one surety should be a blood surety** 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 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 shall report before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of twelve weeks;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners are 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

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

19.06.2024

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