



Crl.O.P.No.20228 of 2024

Crl.O.P.No.20228 of 2024

WEB COPY

P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Section 6(4) of the Tamil Nadu Scheduled Commodities (RDCS) 1982 under Section 7(1)(a)(ii) of the EC Act and in Crime No.269 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that based on a complaint given by the *de facto* complainant, checkup of vehicles was done during which the petitioner was found illegally transporting PDS rice worth Rs.1,06,950/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case. He submitted that the petitioner is willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner .



Crl.O.P.No.20228 of 2024

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner was found illegally transporting PDS rice worth Rs.1,06,950/-and the materials were seized and there are 4 previous cases as against the petitioner and considering the gravity of offence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and also taking into consideration the quantity of materials seized and though there are 4 previous cases as against the petitioner, they are not similar in nature and as the co-accused were arrested and released on bail, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **Judicial Magistrate No.1, Thiruvallur** on condition that the petitioner



CrI.O.P.No.20228 of 2024

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 and on further condition that:

[a] the petitioner shall report **before the respondent police on every Saturday, until further orders.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



WEB COPY



Crl.O.P.No.20228 of 2024

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]***.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

28.08.2024

vca



WEB COPY



Crl.O.P.No.20228 of 2024

P.DHANABAL, J.

vca

Crl.O.P.No.20228 of 2024

28.08.2024