



Crl.O.P.No.21109 of 2024

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**P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Section 6(4) of the Tamil Nadu Schedule Commodities (Regulation of Distribution through Card System) Order 1982 r/w 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.115 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that during regular checkup, 410 bags of PDS rice was seized from a lorry, where the second accused is the owner of the lorry, third and fourth accused are the owners of the rice and the petitioner is the owner of the rice mill. 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 the owner of the rice mill and his nature of work was to receive paddy from customers and process them and he has nothing to do with transportation



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of rice and also his name does not find place in the First Information Report (FIR). Further, 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 .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that about 410 bags of PDS rice was seized from a lorry and A2 to A4 were arrested and that there is no previous case as against the petitioner and all the materials were seized 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 the quantity of materials seized and also taking into consideration the fact that the petitioner was arrayed as seventh accused only based on the confession statement of the co-accused and that there is no previous case as against the petitioner this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.



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[a] the petitioner shall report **before the jurisdictional Magistrate on every Monday, for four weeks.**

[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.



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[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 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.

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