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Crl.O.P.No.21751 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 Scheduled Commodities (RDCS) 1982 r/w 7(1)(a)(ii) of the Essential Commodities Act and in Crime No.334 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that during regular checkup, PDS rice about 102 bags containing 5100 kgs of PDC rice was seized from the accused. 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 .



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that PDS rice about 102 bags containing 5100kgs was seized from a vehicle where the petitioner is arrayed as third accused and he is the receiver of the goods and the materials were seized and there are 3 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 3 previous cases as against the petitioner they are not similar in nature and as the main accused was arrested and released on bail and further, taking into consideration of the fact that the petitioner was arrayed as third accused only based on the confession statement of co accused, 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



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(15) days from the date of receipt of a copy of this order before the

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Judicial Magistrate No.1, Tiruvallur 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 and on further condition that:

[a] the petitioner shall report **before the respondent police daily, 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.

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[e] the petitioner shall make himself/herself available



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for interrogation by a police officer as and when required.

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[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.

06.09.2024

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