



Crl. O.P. No.21915 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused No.1 who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(i)a(ii) of E.C. Act 1955 in connection with the Cr. No.225 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information, on 22.08.2024 at 4 p.m., when the respondent police were on their regular patrol duty at Kumbalapuram bus stop, found that the petitioner along with other accused, was transporting 1500 kgs of PDS rice in a van bearing Registration No.KA51 8801. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not involved in the crime, that A1 was arrested and remanded to judicial custody, that based on the confession statement of the co-accused, this petitioner has been implicated as an accused in this case, that he is an innocent, that he has not committed any offence as alleged by the respondent police, that he is only a labour and that he is ready to abide by any condition imposed by this Court. Hence he prayed to grant anticipatory bail to the petitioner.



Crl. O.P. No.21915 of 2024

WEB COPY

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that on 22.08.2024 at 4 p.m., near Kumbalapuram bus stop, the petitioner along with other accused, was found transporting 1500 kgs of PDS rice in a van bearing Registration No.KA51 8801. Hence he objected for the grant of anticipatory bail. Further he submitted that there is no previous case pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the arguments putforth on either side, considering the nature of offences charged against the petitioner, considering the fact that this petitioner is engaged only as labour and that no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, 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 **Judicial Magistrate No.I, Krishnagiri** on condition that the petitioner shall



Crl. O.P. No.21915 of 2024

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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday for a period of 4 weeks and thereafter as and when required for investigation.

[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 them from disclosing such facts to 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] 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



Crl. O.P. No.21915 of 2024

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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

09.09.2024

mjs

To

- 1.The Judicial Magistrate No.I, Krishnagiri
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, C.S.C.I.D. Police Station, Krishnagiri District.

P.DHANABAL,J
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Crl. O.P. No.21915 of 2024

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