



CrI.O.P.No26712 of 2024

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P.DHANABAL,J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(4) of TNSC (RDCS) order 1982 r/w Section 7[1][a][ii] of Essential Commodities Act, 1955 in Crime No.173 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other found to be in illegal possession of 1100 kgs of PDS rice without any valid documents. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submits that the co-accused was arrested and enlarged on bail by the lower Court. He further states that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with other found to be in illegal possession of 1100 kgs of PDS rice without any valid documents. He further submits that the petitioner is the collecting agent to collect rice from the general public and the same was illegally sold by him for his personal gain . Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of offence, the quantity of rice involved in this case and the co-accused was enlarged on bail by the lower court, though the petitioner is having one previous case, he was granted bail and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



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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 learned **Judicial Magistrate Court-I, Villupuram** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of thirty days.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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



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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].

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

25.10.2024

Vv



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