



Crl.O.P.No.27142 of 2024

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P.DHANABAL,J.

The petitioner/A5 who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 6(2), 6(3) of TNSC (RDCS) order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.271 of 2014 seeks anticipatory bail.

2. The case of the prosecution is that based on the complaint received from the public, when the respondent police made inspection in the ration shops FA009, FA043, FA048 in the month of April, May and June 2014, they found that there was a stock deficit and shortage of commodities . Hence, the complaint.

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 he was placed under suspension and domestic enquiry was conducted on the charge of stock deficit and shortage of commodities. Subsequently, the suspension of the petitioner was revoked and he is now working in CRS-Ponniammanmedu (IV GA 046)T.V.K.Nagar, Chennai. He also submits that the above case in



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Cr.No.271 of 2014 is pending for more than 9 years against him and this Court vide order dated 07.07.2022 in CrI.OP.No.4089 of 2022 has quashed the FIR against the 3rd accused. He further submits that he is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that when the respondent police made inspection in the ration shops FA009, FA043, FA048 in the month of April, May and June 2014, they found that there was a stock deficit and shortage of commodities . Hence, he vehemently opposed for the grant of 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 alleged occurrence took place in the year 2014, so far, the respondent has not taken any steps to secure the accused, though the petitioner is having one previous, bail was granted to him in that case and also the fact that the co-accused was already released on



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bail and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 learned ***VI Metropolitan Magistrate, Egmore, Chennai*** 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 every day 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



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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].

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

29.10.2024

Vv



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