



CrI.O.P.No.28930 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 6(4) of TNSC (RDCS) Order 1982, r/w 7(1)(a)(ii) of EC Act, in Crime No.215 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be in illegal possession of 2150 kgs (50 kgs x 43 bags) of PDS rice worth of Rs.12,000/- in a Ashok Leyland Dost vehicle bearing Regn.No.TN-37-EY-4611. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that only based on the confession statement of the arrested accused, the petitioner has been arrayed as an accused in this case. He would further submit that the petitioner, without prejudice, is prepared to deposit a sum of Rs.12,000/- to any welfare scheme of the Government and he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent, while opposing the grant of anticipatory bail, would submit that the petitioner was found to be in illegal possession of 2150 Kgs of PDS rice worth of Rs.12,000/- in a Ashok Layland Dost vehicle bearing Regn.No.TN-37-EY-4611. He would also submit that the petitioner has no previous case against him.

5. Merely, because the petitioner has deposited the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the petitioner has prepared to deposit Rs.12,000/- to any welfare scheme of the Government, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to make a non refundable deposit of Rs.12,000/- (Rupees Twelve Thousand only) by way of Demand



Draft/RTGS/NEFT to the credit of the **District Revenue Officer, Coimbatore District**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate – IV, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 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 BNS.

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