



Crl.O.P.No.28175 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 in Crime No.220 of 2023 registered by the Respondent Police for the offences under Sections 6(4) of TN Scheduled Commodities (RDCS) Order, 1982 read with 7(1)(a)(ii) of Essential Commodities Act, 1955 seeks anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) that on 05.12.2023, a Flying Squad at Krishnagiri accompanied by the Special Tahsildar had intercepted the DOST van bearing registration No.TN23 CX 6532 which proceeded to Sarjapuram at Karnataka and it was found that it contains 3800 Kgs of PDS rice. Hence, this case.

3. The learned counsel for the Petitioner stated that the Petitioner herein has been arrayed as the Accused A2 in this case. He also stated that the Petitioner is an innocent person and he has been falsely implicated in this case. He further stated that the Accused A1 had been arrested and had granted bail. Thus, he prays for grant of anticipatory bail to the Petitioner herein.



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4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Dean, Government General Hospital, Krishnagiri for treatment of needy patients.** 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 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Dean, Government General Hospital, Krishnagiri for treatment of needy patients

[c] the petitioner shall report before the Respondent Police daily at 10.30 a.m., until further orders.

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

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

[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]**.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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