



Crl.O.P.No.28306 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners/A1, A3 and A4 in Crime No.217 of 2023 registered by the Respondent Police for the offences under Section 6(4) of Tamil Nadu Schedule Commodities (Regulation of Distribution Through Card System) order, 1982 read with Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, seek anticipatory bail.

2. The learned counsel for the Petitioners stated that the Petitioners are innocent persons and they have been falsely implicated in this case. Thus, he prays for grant of anticipatory bail to the Petitioners herein.

3. The learned Government Advocate (Criminal Side) stated that the 1st Petitioner is the owner of a BOLERO PICKUP vehicle bearing Registration No.KA 05 C 3573. The 2nd and 3rd Petitioners are contract labours. It is stated that in the said vehicle, 2600 Kgs of PDS rice had been transported. The 1st Petitioner is the owner of the said rice. It is also stated that there are 4 previous cases against the 1st Petitioner/A1.



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4. In view of all these facts, this Criminal Original Petition stands dismissed against the 1st Petitioner but stands allowed against the 2nd and 3rd Petitioners/A3 and A4. However, this Court is inclined to grant anticipatory bail to the 2nd and 3rd Petitioners with certain conditions that **the 2nd and 3rd Petitioners are directed to deposit a total sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, to the credit of the Dean, Government General Hospital, Krishnagiri for treatment of needy patients.** Accordingly, the Petitioners are ordered to be released on bail in the event of arrest or on their 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 petitioners shall execute a separate 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 petitioners 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



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pass Book to ensure their identity.

[b] the 2nd and 3rd petitioners shall deposit a total sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, to the credit of the Dean, Government General Hospital, Krishnagiri for treatment of needy patients.

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

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

5. Accordingly, this Criminal Original Petition stands dismissed against the 1st Petitioner and stands allowed against the 2nd and 3rd Petitioners.

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