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Crl.O.P.No. 31346 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31346 of 2024

Thoufiq Sikkantharbasha

Petitioner/A2

Vs

State Rep By its

The Inspector of Police,

Civil Supply – CID

Pollachi, Coimbatore District

[Crime No. 391 of 2024]

Respondent

For Petitioner(s): Camyles Gandhi W.

For Respondent(s): Mr.S.Santhosh, Government Advocate, [Crl. Side]
Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.391 of 2024 registered for the offences punishable under Sections 6(4) of TNSC (RDCS) order 1982, r/w Section 7(1) (a) (ii) of EC Act, the present petition has been filed by the petitioner/A2 seeking anticipatory bail.



2. The case of the prosecution is that the petitioner along with others had transported PDS rice 2000 kgs by using Ashok leyland Dost bearing Registration No.TN-37-DP-0580. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner's name has been implicated based on the confession statement of co-accused. He would further submit that A1 was arrested and remanded into judicial custody. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.11,000/- to any welfare scheme of the Government or any other organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

4. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police,



CrI.O.P.No. 31346 of 2024

opposing for grant of bail, is that the petitioner along with others had transported PDS rice 2000 kgs by using Ashok leyland Dost bearing Registration No.TN-37-DP-0580. He further submits that there is no previous case against the petitioner.

5. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.11,000/- (Rupees Eleven Thousand only)** to the credit of the **"District Revenue Officer, Coimbatore District"** without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

6. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy



of this order, before the learned **Judicial Magistrate No.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 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.

**[b] the petitioner shall report before the respondent
police everyday at 10.30 a.m., until further orders.**

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

[d] the petitioners 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 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



CrI.O.P.No. 31346 of 2024

down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

16.12.2024

MSM

To

1. The Inspector of Police,

Civil Supply – CID

Pollachi, Coimbatore District

[Crime No. 391 of 2024]

2.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

MSM

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