



CRL OP NO. 1452 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1452 of 2025

Packiappan @ Bakiyaraj
S/o.Selvanayagam, Walaiyar, Puducherry Paladad Kerala State

Petitioner(s)

Vs

The State Rep.By Its The Inspector Of Police
Civil Supply Cid, Pollachi, Coimbatore District Crime No.18/2025

Respondent(s)

For Petitioner(s):

Camyles Gandhi W

For Respondent(s):

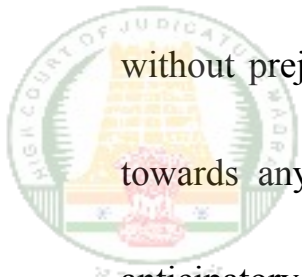
S.Santhosh
Government Advocate (criminal Side)
Madras High Court.

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 6(4) of Tamil Nadu Schedule Commodities (RDSC) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.18 of 2025, on the file of the respondent police, seek anticipatory bail.

2. 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 the petitioner



without prejudice to his contentions, prepared to deposit amount, as ordered by the Court, towards any charitable organization or association. Therefore, he prays for the grant of anticipatory bail to the petitioner.

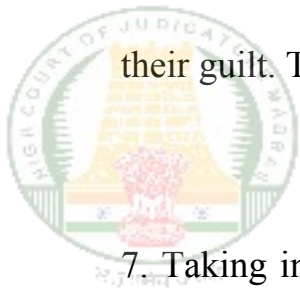
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3. The case of the prosecution as put forth by the learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for the grant of anticipatory bail to the petitioner is that based on secret information, the respondent police went to the spot and found that the co-accused persons were involved in illegal theft and transportation of 200 kilograms of PDS rice (4 bags each containing 50 kilograms) in their vehicles. The respondent police arrested A1 and based on his confession, the petitioner herein was arrayed as accused.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

5. On considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/-, as non refundable deposit to "The District Revenue Officer, Coimbatore District", without prejudice to their rights and contentions before the trial Court.

6. Merely because the petitioner deposit the said amount, it would not amount to admission of



their guilt. Therefore, it is open to the trial Court to deal with the case indepen

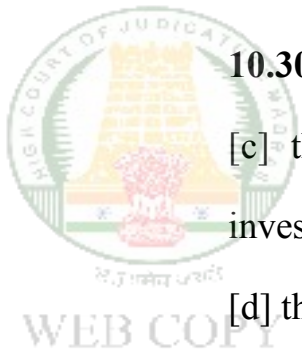
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7. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner shall make a non refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the “**The District Revenue Officer, Coimbatore District**” and on such deposit and production of proof, the petitioner is 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 *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 conditions 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 his 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 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 abscond, a fresh FIR can be registered under Section 269 of BNS.

24-01-2025

msv
To
The Inspector Of Police
Civil Supply Cid,
Pollachi, Coimbatore District