



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.14193 of 2015

MURUGAN

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID,
UTHAMAPALAYAM,
THENI DISTRICT,
(CRIME NO.152/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

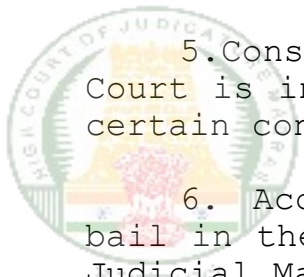
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 17 of TNK(RT) Order 1974 r/w 7(1) a (ii) of E.C.Act, 1955, in Crime No.152 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the prosecution, 2375 litres of kerosene which was meant for Public Distribution System, was recovered from the accused.

3.The learned counsel for the petitioner submitted that on the confession of A3, the petitioner has been implicated in this case and the first accused is the owner of the Blue Metals where A3 has stored kerosene and the contraband is said to have purchased from A2 and A2 has purchased the kerosene from various ration card holders. He further submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that the petitioner has no bad antecedent and the third accused was arrested and released on bail on 22.07.2015.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Uthamapalayam and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 - 3 THE INSPECTOR OF POLICE, CIVIL SUPPLIES CID,
UTHAMAPALAYAM, THENI DT,
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH
COURT, MADURAI.
- +1. CC to M/S.T.LENIN KUMAR Advocate SR.No.43871.

ORDER
IN
CRL OP(MD) No.14193 of 2015
Date : 04/08/2015

CSL/KBM/SAR-II 06/08/2015
2P/6C