



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

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.17678 of 2015

SHIEF FAREED KHAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D
UTHAMAPALAYAM, THENI DISTRICT
(CRIME NO.170 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.LENIN KUMAR Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

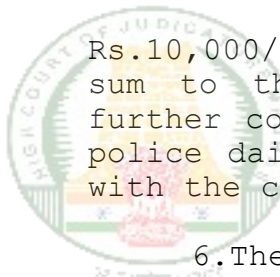
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Section 6(2)(3) of TNSC (RDSCS) Order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, on the file of the respondent Police and hence, seeks anticipatory bail.

2. According to the prosecution, when the Taluk Supply Officer, Periyakulam conducted a surprise raid at Vadugapatti Fair Price Shop, it was found that the petitioner sold commodities to 25 card holders, whose cards were not affixed additional sheets and the commodities worth of Rs.33,375/- was found missing and the petitioner has not maintained proper records.

3. The learned counsel for the petitioner submitted that the petitioner is a physically challenged person and he supplied goods only to card holders and to prove his bona fide, he has also deposited the entire amount of the alleged misappropriation on 05.06.2015. The learned counsel also produced the receipt for the same.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner has no bad antecedent and the entire misappropriation has been deposited with the concerned fair price shop.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-
14/09/2015

/ 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 C.I.D,
UTHAMAPALAYAM,THENI DISTRICT

4. THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S T.LENIN KUMAR Advocate SR.No.54133

ORDER
IN
CRL OP(MD) No.17678 of 2015
Date :14/09/2015

GHM/NGM/SS/SARII-18.9.15-2P-6C