



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

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18429 of 2015

SHEIK SALEEM

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D
UTHAMAPALAYAM, THENI DISTRICT,
(CRIME NO.157 OF 2015)

... RESPONDENT / COMPLAINANT

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

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under 17 of TNK(RT) Order-1973 and 3(1) of TNK (Restriction on use and fixation of sealing prices Order 1993) r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.157 of 2015 and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 29.07.2015, when the Deputy Tahsildar along with flying squad conducted raid in Kombai Village, the accused was found in possession of kerosene of 7 cans totally 225 litres and they also seized 4048 litres in the nearby place.

3. The learned counsel for the petitioners submitted that even according to the prosecution, they have seized only 225 litres of kerosene from the petitioner and he is not the owner of the properties, where the remaining kerosene was seized. The learned counsel further submitted that the petitioner has not involved in any previous case.

4. The Government Advocate (Crl. Side) appearing for the State filed a counter stating that the accused have been absconding from the date of registration of case and to find out the truth from where the accused purchased the huge quantity of kerosene meant for Public Distribution to the general public, custodial interrogation is very much essential. It is further contended that the earlier application was dismissed as withdrawn only on 17.08.2015 and there is no change of circumstances.



5. Considering the submission of the learned Government Advocate (Crl.side), I am not inclined to enlarge the petitioner on anticipatory bail. Hence, this petition is dismissed.

sd/-
25/09/2015

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/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE INSPECTOR OF POLICE, CIVIL SUPPLIES C.I.D
UTHAMAPALAYAM, THENI DISTRICT,

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No. 56609.

TS/30.09.2015/2P - 4C GSV-PM /SAR -II

ORDER
IN
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Date :25/09/2015