



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

Wednesday, the Fourth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.20406 of 2015

RAJESH

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID KUZHITHURAI AT NAGERCOIL,
KANYAKUMARI DISTRICT,
(CRIME NO.50 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S T.LENIN KUMAR Advocate

For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

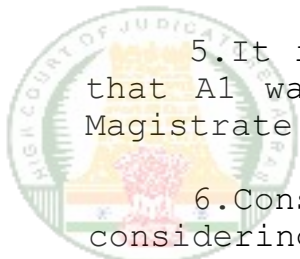
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a) (ii) of Essential Commodities Act, 1955, in Crime No.50 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 30.03.2015, the respondent police seized the Tempo bearing Registration No.TN 75 T 8155 was found in possession of 46 bags of rice (each contains 50 kgs).

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner. He further submitted that A1 was arrested and released on bail by the Judicial Magistrate No.III, Nagercoil in Cr.M.P.No.1720 of 2015.

4.The learned counsel for the petitioner further submitted that the petitioner is the owner of the vehicle and he instructed the driver to play the vehicle only for lawful purpose.



5.It is submitted by the learned Government Advocate (Crl.Side) that A1 was arrested and released on bail by the learned Judicial Magistrate No.III, Nagercoil.

6.Considering the facts and circumstances of the case and also considering the fact that A1 was arrested and released on bail by the learned Judicial Magistrate No.III, Nagercoil in Cr.M.P.No.1720 of 2015, 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 No.II, Nagercoil 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/-

04/11/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL

3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4.THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID KUZHITHURAI AT NAGERCOIL,
KANYAKUMARI DISTRICT,

+1. CC to M/S T.LENIN KUMAR Advocate SR.No.64808
RL/AMF/SAR II/6C - 6/11/2015

ORDER

IN

CRL OP(MD) No.20406 of 2015

Date :04/11/2015