



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

Tuesday, the Third day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.20429 of 2015

ARUMUGAM

... PETITIONER/5th ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D.,
KUZHITHURAI AT NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.145 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 :-

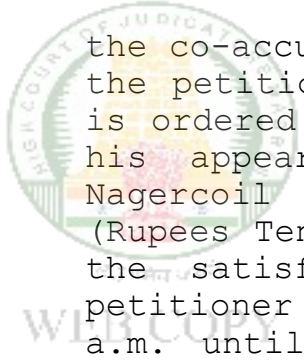
The petitioner, who is arrayed as accused No.5, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Clause 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a) (ii) of Essential Commodities Act in Crime No.145 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 22.09.2015, the accused transported 130 bags of rice (each contains 50 kgs.) without any valid permit.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and only based on the confession of co-accused, he has been falsely implicated in this case. It is further submitted that the entire contraband has been seized from the co-accused.

4. The learned Government Advocate (Crl.side) submitted that the accused has transported 130 bags of rice (each contains 50 kgs.) illegally.

5. Considering the facts and circumstances of the case and also considering the fact that the entire contraband has been seized from



the co-accused, 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 his arrest or on his appearance before the learned Judicial Magistrate No.III, Nagercoil and on his 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 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.

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

sd/-
03/11/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.III, 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 C.I.D., KUZHITHURAI AT NAGERCOIL,
KANYAKUMARI DISTRICT.
- +1. CC to M/S T.LENIN KUMAR Advocate SR.No.64696
RL/6 C- 6/11/2015 -AMF/SAR II

ORDER
IN
CRL OP(MD) No.20429 of 2015
Date :03/11/2015