



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

Thursday, the Nineteenth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.21755 of 2015

ARUMUGAM

... PETITIONER/ACCUSED NO.8

Vs

THE STATE REP BY

THE INSPECTOR OF POLICE

CIVIL SUPPLIES C.I.D., VIRUDHUNAGAR DISTRICT

(CRIME NO.274 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 :-

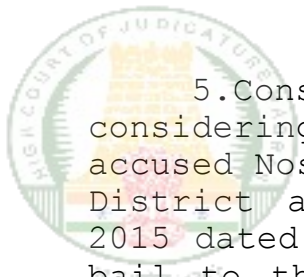
The petitioner, who is arrayed as accused No.8, apprehends arrest at the hands of the respondent police for the alleged offences punishable under clause 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.274 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 30.09.2015, when the respondent was on vehicle check-up, A1 was found in possession of 5 bags of rice (each contains 50kgs) and on the confession of A1, the respondent police seized 135 bags of raw rice (each contains 50kgs) and 30 bags of boiled rice (each contains 50 kgs).

3.The case of the petitioner is that he is an innocent and he is no way connected with the commission of the offence and his name has been falsely implicated in this case on the basis of the confession given by A1.

4.The learned Government Advocate (Crl.side) submitted that A1 and A2 have been arrested and subsequently both of them detained under goondas Act.

5.The learned counsel for the petitioner submitted that other co-accused A3 to A7 were granted anticipatory bail by the Principal District and Sessions Judge, Ramanathapuram and this petitioner is a load-man and he is nothing to do with the commission of the offence.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is a load man and other co-accused Nos.A3 to A7 were granted anticipatory bail by the Principal District and Sessions Judge, Ramanathapuram in Cr.M.P.No.2801 of 2015 dated 05.11.2015, 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, Ramanathapuram 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/-
19/11/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., VIRUDHUNAGAR DISTRICT
- +1. CC to M/S T.LENIN KUMAR Advocate SR.No.66723
RL/6C/AMF/SARI/24/11/2015

ORDER
IN
CRL OP(MD) No.21755 of 2015
Date :19/11/2015