



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22244 of 2015

JEYAPRAKASH

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D.,
UTHAMAPALAYAM, THENI DISTRICT.
(CRIME NO.265 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR Advocate

For Respondent : Mr.K.ANBARASAN Govt. Advocate (Crl. Side)

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

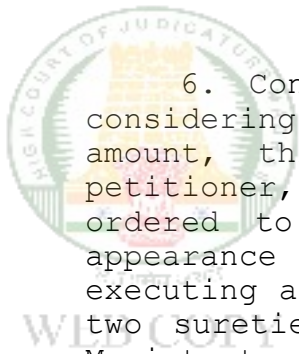
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, in Crime No.265 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 6(2)(3) of TNSC (RDCS) Order 1982 read with 7(1)(a)(ii) of Essential Commodities Act, 1955 and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 21.11.2015, the Deputy Registrar of PDS, Theni gave a complaint to the respondent Police stating that on 25.06.2015, he inspected a Kerosene Bulk, Gudalar and found that between the period 21.01.2015 and 31.03.2015, the petitioner has supplied 910 litres of Kerosene worth about Rs.45,000/- to 109 card holders, whose cards are not eligible for supplying Kerosene.

3. The case of the petitioner is that the petitioner is working as a salesman in the Kerosene Bunk and he is an innocent person and he has been falsely implicated in this case. It is the duty of the Special Officer as well as Revenue officials to inspect the kerosene bunk once in a month and make their report in the ledger maintained in the kerosene bulk. As such, every month they inspected the Kerosene bunk and made a report to the effect that there is no shortage. The petitioner did not indulge in any kind of irregularity. In order to show his bonafide, the petitioner has deposited the amount of Rs.45,000/-.

4. The learned counsel for the petitioner submitted that the amount has been recovered from the petitioner.



6. Considering the facts and circumstances of the case and also considering the fact that the petitioner had already deposited the amount, 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 as and when required for interrogation. The petitioner shall comply with the conditions 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/-

25/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., UTHAMAPALAYAM, THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.T.LENIN KUMAR Advocate SR.No.67469

ORDER

IN

CRL OP(MD) No.22244 of 2015

Date :25/11/2015

NS/NGM-SS/SAR II/26.11.2015 : 2P/6C