



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

Tuesday, the Fifteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23832 of 2015

RAPEEK RAJA

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CIVIL SUPPLY CID,
VIRUDHUNAGAR
(CRIME NO.304 OF 2010)

... RESPONDENT /OMPLAINANT

For Petitioner : M/S T.A.EBENEZER 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 :-

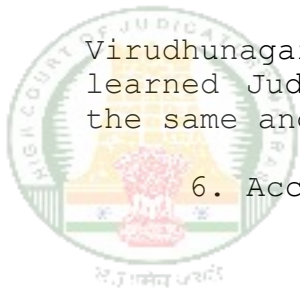
The petitioner, apprehends arrest at the hands of the respondent police for the alleged offence under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of EC Act, 1955, in C.C.No.135 of 2012, on the file of the learned Judicial Magistrate No.I, Virudhunagar, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner of the TATA 709 Van and transported 105 bags of PDS rice on 06.08.2010 without any valid permit.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner sold the vehicle on 16.04.2010 itself to one Ammanullaha. The purchaser did not change the name of the owner in the RC book. The accused persons impersonated the petitioner and filed a petition for return of vehicle in the petitioner's name with the help of the respondent police.

4. The learned Government Advocate (Crl. Side) submitted that investigation has been completed and the charge-sheet has been filed in C.C.135 of 2012 before the learned Judicial Magistrate No.I, Virudhunagar and this petitioner is arrayed as accused in C.C.No.135 of 2012. The petitioner did not appear before the Court. Due to absence of the petitioner, Non Bailable Warrant was issued against the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/> 5. Considering the fact that Non-Bailable Warrant was issued against the petitioner for his absence, there shall be a direction to the petitioner to surrender before the learned Judicial Magistrate No.I,



Virudhunagar and to file a petition for recalling the warrant and the learned Judicial Magistrate No.I, Virudhunagar, is directed to consider the same and pass orders on merits in accordance with law.

6. Accordingly, this petition is disposed of.

sd/-

15/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.1
VIRUDHUNAGAR

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT

3 THE INSPECTOR OF POLICE
CIVIL SUPPLY CID, VIRUDHUNAGAR

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

+1. CC to M/S T.A.EBENEZER Advocate SR.No.71691.

ORDER

IN

CRL OP(MD) No.23832 of 2015

Date :15/12/2015

AM/17.12.2015/NGM.SS/SAR-II/2P/6C