



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.24051 of 2015

RIJO

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
C.S.CID, KUZHITHURAI,
AT NAGERCOIL.
CRIME NO. 142 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.LENIN KUMAR Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

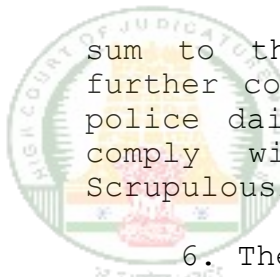
The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 17 of TNK (RT) Order-1973 r/w 7(1)(a)(ii) Essential Commodities Act 1955, in Crime No.142 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 19.09.2015 at the time of checking, the respondent police found one Omni Van possessing of 400 litres of white colour kerosene and on investigation found that the petitioner used to purchase the kerosene in the subsidy rate and sell the same in retail on higher price.

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. He is a fisherman by profession. The State Government is distributing white colour kerosene under subsidy to Fishermen to use it in the Boat. Every Fishermen is permitted to have 250 litres of kerosene at a time.

4.The learned Government Advocate (Crl.side) submitted that on 19.09.2015 at the time of checking, the respondent police found that one Omni Van in possession of 400 litres of white colour kerosene.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his arrest or on his appearance before the learned Judicial Magistrate No.I, 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.

6. 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/-
17/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, C.S.CID, KUZHITHURAI, NAGERCOIL.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T.LENIN KUMAR Advocate SR.No.72496
AM
CSL/GSV-AN/SAR-I/22.12.2015/2P/6C

ORDER
IN
CRL OP(MD) No.24051 of 2015
Date :17/12/2015