



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

Tuesday, the Tenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3332 of 2015

1 P.JEYA

... PETITIONER / ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID, UTHAMAPALAYAM ,
THENI DIST, CR.NO.50 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (CrI. Side)

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

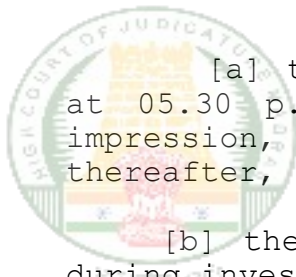
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Clause 6(2)(3) of TNSC (RDCS) Order, 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.50 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that this petitioner is working as a Saleswoman in Samathanapuram Fair Price Shop No.5 and during inspection, it was found that she had sold scheduled commodities to non-card holders and caused a loss to the tune of Rs.54,275/-.

3. The learned counsel for the petitioner submitted that the said sum of Rs.54,275/- has been re-paid by the petitioner and this fact is confirmed by the learned Government Advocate (Criminal side), on instructions from the respondent police, who is present here.

4. Taking into consideration the said facts and also the fact that there is no previous case against this petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the petitioner shall report before the respondent police daily at 05.30 p.m., and give her specimen handwriting signature and thumb impression, as required by the police, for a period of one week and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
10/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

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

4 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID, UTHAMAPALAYAM , THENI DISTRICT.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No. 11470.

TS/12.03.2015/2P-6C

ORDER
IN
CRL OP(MD) No.3332 of 2015
Date :10/03/2015