



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

Tuesday, the Tenth day of March Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3904 of 2015

RAJENDRAN @ ATHAVATHU RAJENDRAN ... PETITIONER/ACCUSED NO. 2

Vs

STATE REP BY THE INSPECTOR OF POLICE
CSCID WING, UTHAMAPALAYAM, THENI DISTRICT,
CR. NO.42/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.ANBARASU Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

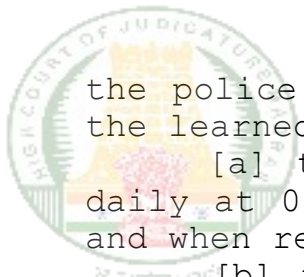
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 6 (4) of TNSC (RDCS) Order, 1982 r/w 7(1)a(ii) of Essential Commodities Act, in Crime No.42 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Jeyaraj (A-1) was found in possession of 100 Kilograms of PDS rice on 13.02.2015 and on the same day, he was arrested and based on his confession statement, this petitioner, who is the father of A-1, is being implicated in this case.

3. It is represented by the learned Government Advocate (Criminal side) that there is no previous case against this petitioner.

4. Taking into consideration the fact that A-1 has been arrested and rice has been seized and 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, Theni District, 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., for a period of four weeks 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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI
2 THE CHIEF JUDICIAL MAGISTRATE, THENI
3 THE INSPECTOR OF POLICE, CSCID WING, UTHAMAPALAYAM, THENI
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.ANBARASU Advocate SR.No.11401

ORDER
IN
CRL OP(MD) No.3904 of 2015
Date :10/03/2015

AA/13.03.2015/2p- 6c/