



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4755 of 2015

EBIN

... PETITIONER/3RD ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
CSCID, KUZHITHURAI, NEGERCOIL.
(CRIME NO. 36 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.M.VISHNUVARTHANAN Advocate
For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

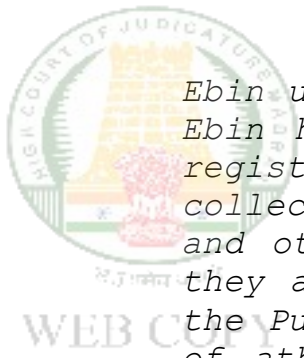
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 6 (4) of TNCSC (RDCS) r/w 7(i)a(ii) of EC Act, 1955 in Crime No.36 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. The respondent police have filed a status report in which they have stated as follows:

"3....On 05.03.2015 at 06.00 hrs., I conduct vehicle check with Police party watch to unearth illegal hoarding and smuggling of essential commodities at the turning leading to Enayam Puthenthurai and on reliable information in that area, the police party found a TATA 407 Tempo bearing registration No.KL-22-2044 and stopped the vehicle and found that the accused Thiru.Stalin @ StalinKumar and Sujikumar were secured and thereafter checked the vehicle and found it loaded with 25 plastic bags each containing 50 Kgs. in total 1250 Kgs. of Public Distribution System boiled rice. The accused Thiru.Stalin @ Stalinkumar and Sujikumar not valid licence or permit for the movement of Public Distribution System boiled rice and so that accused were arrested and recorded their confession statement at 06.00 hrs. and in that he has stated that the petition



Ebin used to smuggle ration rice and kerosene and the said Ebin has engaged them as drivers of the vehicle bearing registration No.KL-22-2044 for higher salary and asked to collect ration rice from the ration card-holders of Enayam and other surrounding areas and hoarded the same and now they are smuggling to Kerala. And seized the vehicle with the Public Distribution System boiled rice under the cover of athatchi from 07.00 hrs. and brought the accused and the seized properties to the CSCID, Kuzhithurai Unit at Nagercoil at 09.00 hrs. and registered a case in Cr.No.36/2015 u/s. 6(4) of Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order 1982 r/w Section 7 (1) (a) (ii) of the Essential Commodities Act, 1955 on 05.03.2015.

4. I respectfully further submit that this petitioner involved in the following cases:

1.	Kanniyakumari District, Kuzhithurai CSCID Unit Crime No.16 / 2015 u/s 17 of TNK(RT)order 1973 r/w Sec 7 (i) (a) (ii) of Essential Commodities Act 1955.
2.	Kanniyakumari District, Kuzhithurai CSCID Unit Crime No.28 / 2015 u/s 17 of TNK(RT)order 1973 r/w Sec 7 (i) (a) (ii) of Essential Commodities Act 1955.

4. In view of the serious nature of allegations against this petitioner and in the light of the fact that he is also involved in two other cases, this Court is of the view that this is not a fit case to grant him anticipatory bail. Hence, the Criminal Original Petition is dismissed.

sd/-
30/03/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, CSCID, KUZHITHURAI, NEGERCOIL.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4755 of 2015
Date :30/03/2015

AA/06.04.2015/2p- 3c/