



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

Tuesday, the Twenty First day of April Two Thousand Fifteen

PRESENT

WEB COPY **The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP (MD) No.6412 of 2015

KRISHNAMOORTHY @ BABU

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
C.S.C.I.D, POLICE, MADURAI,
CRIME NO.153 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.KATHIRVEL, SENIOR COUNSEL
for M/S.S.SARAVANAKUMAR, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

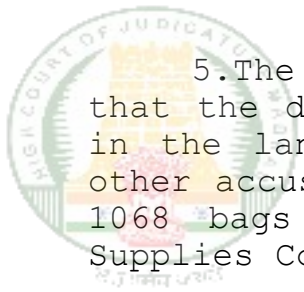
ORDER : The Court Made the following order :-

The petitioner is A2 apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 406, 420 of IPC r/w section 7(i)(a)(ii) of E.C. Act 1955, in Crime No.153 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 01.04.2015 one Mr.S.Ayyappan, who is working as Regional Manager in the Tamil Nadu State Civil Supplies Corporation, Madurai made a surprise raid at P.S.Bricks at Angadimangalam Village, Madurai District and found more than 500 paddy bags in the said place and on inspection, he further found that the bags contains paddy with damaged bricks and he also found that a lorry bearing registration No.28-AQ-4626 was loaded with 400 bags of paddy adulterated with clay and paddy husk.

3.Mr.V.Kathirvel, learned Senior counsel appearing for the petitioner submitted that the petitioner is the owner of the brickkiln called 'P.S.Bricks' and the said company was closed long back and the same was leased out to A1 namely Sathiyamoorthy, who is having license to supply paddy to the Tamil Nadu State Civil Supplies Corporation and to store the paddy in the land.

4.The learned Senior counsel further submitted that the entire allegation of adulteration of paddy with clay and paddy husk is made only by the respondent police and the other co-accused persons and the petitioner has been falsely implicated in this case only on the basis that he is the owner of the building.



5.The learned Government Advocate (Criminal side) submitted that the de-facto complainant had found the adulterated paddy bags in the land belonging to the petitioner and Al joining with the other accused persons have involved in this case, for the supply of 1068 bags of adulterated paddy to the Tamil Nadu State Civil Supplies Corporation.

6.It is further submitted that the petitioner has no other previous case of similar nature.

7.Considering the facts and circumstances of the case and also considering the nature of allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

8.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Madurai and on his 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.

9.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/-

21/04/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, MADURAI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, C.S.C.I.D, POLICE MADURAI.

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

+1. CC to M/S.S.SARAVANAKUMAR, Advocate SR.No.20637.

ORDER IN

CRL OP(MD) No.6412 of 2015

Date :21/04/2015