



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

Thursday, the Twenty Third day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6455 of 2015

EBIN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., KUZHITHURAI AT
NAGERCOIL, (CRIME NO. 28/2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.M.VISHNUVARTHANAN Advocate

For Respondent : MR.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, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 17 of TNK(RT) order 1973 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.28 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 22.02.2015 the respondent police have seized 100 cans of white Kerosene each containing 33 liters in the house of the first accused. The further case is that the second accused was purchasing white kerosene from the first accused and engaged in selling retail sale.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.It is submitted by the learned Government Advocate (Crl.side) that the petitioner has no previous case.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. 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.II, 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 at 10.00 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



7. 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/-
23/04/2015

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL
 2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGARCOIL.
 3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 4. THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., KUZHITHURAI AT NAGERCOIL.
- +1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.21594

ORDER
IN
CRL OP(MD) No.6455 of 2015
Date :23/04/2015

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