



WEB COPY

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

Tuesday, the Twenty First day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7074 of 2015

N.NATESAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CSCID WING, UTHAMAPALAYAM,
THENI DISTRICT.
(CRIME NO. 67/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.MAHENDRAN 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 A1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 19 of the Fertilizer (Control) order, 1985 r/w 7(1) (a) (ii) of Essential Commodities Act, 1955, in Crime No.67 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 11.03.2015, the Assistant Agricultural Officer, Kambam has found 44 bags of fertilizer in the house of the accused.

3.The learned counsel for the petitioner submitted that the petitioner is an agriculturist and he is not a dealer and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is an agriculturist and he had purchased fertilizers and fertilizers were recovered from the house of the first accused.

5.Considering the submissions made by both sides, 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, Uthamapalayam, Theni District 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 daily at 10.00 a.m for a period of two weeks. 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/-
21/04/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THENI.
- 3 THE INSPECTOR OF POLICE
CSCID WING, UTHAMAPALAYAM, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.P.MAHENDRAN Advocate SR.No.20518

ORDER
IN
CRL OP(MD) No.7074 of 2015
Date :21/04/2015

PA/23.04.2015/P2/6C