



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8351 of 2015

1 SASIKALA

2 GNANAMANI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

CIVIL SUPPLIES CID, UTHAMAPALAYAM,

THENI DISTRICT.

CR. NO.104/2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(2)(3) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.104 of 2015 on the file of the respondent police, seek anticipatory bail.

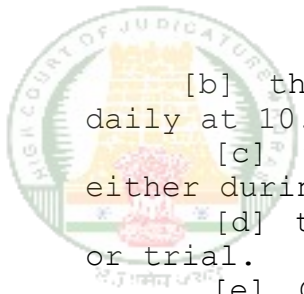
2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the State.

3. The case of the prosecution is that the first petitioner is the President and the second petitioner is the Saleswoman of Kombai Ambigai Mahalir Fair Price Shop. During the course of inspection by the civil supplies authorities, they found shortfall of Rs.96225/- and hence, a case has been registered against the petitioners.

4. The learned counsel for the petitioners submits that the petitioners are undertaking to pay a sum of Rs.96225/- to the civil supplies authorities.

5. Recording the said submission, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, Theni District, on condition that the petitioners shall execute a separate 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 petitioners shall refund a sum of Rs.96225/- to the civil supplies authorities within a period of four weeks from the date of receipt of a copy of this order and produce the receipt before the learned Magistrate at the time of furnishing sureties.



[b] the petitioners shall report report before respondent police daily at 10.00 a.m., for a period of two weeks.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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].

[f] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate(Crl. Side), as to whether the petitioners are complying with the condition or not.

sd/-
06/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

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

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, CIVIL SUPPLIES CID, UTHAMAPALAYAM,
THENI DISTRICT.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.25091

ORDER IN
CRL OP(MD) No.8351 of 2015
Date :06/05/2015

PBK/AMF 07/05/2015 ::1P-6C: