



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

Wednesday, the Twenty Seventh day of May Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

WEB COPY

CRL OP(MD) No.9447 of 2015

PREMIZHA ... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CSCID POLICE, KULITHURAI, NAGERCOIL,
KANYAKUMARI DIST, CR.NO.28/2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.R.PRITHIVIRAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANI, 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 A1, apprehends arrest at the hands of the respondent police, for the alleged offences punishable under Sections 17 of TNK(RT) Order 1973 r/2 7(1)(a)(ii) of E.C. 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 the petitioner had kept the white kerosene in her custody.

3. The learned counsel appearing for the petitioner submitted that the petitioner belongs to coastal village and the main occupation of the people is fishing. Hence, the Government is providing white kerosene to the fisherman for their boats. Further, the learned counsel submitted that the petitioner is innocent and she was falsely implicated in this case and the co-accused were arrested and enlarged on bail in Crl.O.P.No.6455 of 2015 dated 23.04.2015.

4. Heard the learned Government Advocate (crl.side) appearing for the respondent.

5. Considering the facts and circumstances of the case and considering the fact that the co-accused were already granted



bail, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned **(*)Judicial Magistrate No.III, 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 order. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-

27/05/2015

**(*)Corrected as per order of this court
dt.02.06.2015**

**(*)Time granted to surrender before the
learned Magistrate is extended by two
weeks from the date on which the order
copy is made ready**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

To be substituted order already despatched

1.THE JUDICIAL MAGISTRATE NO.III,NAGERCOIL.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

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

**4.THE INSPECTOR OF POLICE
CSCID POLICE,KULITHURAI, NAGERCOIL,
KANYAKUMARI DIST.**

+1. CC to M/S.P.R.PRITHIVIRAJ Advocate SR.No.26375

ORDER IN

CRL OP(MD) No.9447 of 2015

Date :27/05/2015