



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

Friday, the Twelfth day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.13269 of 2016

1 UMAIESWARI
2 DHANASEKARAN

... PETITIONERS / ACCUSED
(RANK NOT KNOWN)

Vs

State through
THE INSPECTOR OF POLICE
TAMILNADU CIVIL SUPPLIES (CID),
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CRIME NO. 33 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.BALAMURUGAPANDI Advocate

For Respondent : MR.P.Kannithevan Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(2)(3)(4) of Tamil Nadu Supplies (RDCS) Order 1982 read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.33 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are working in a Ration Shop and A.1 purchased PDS rice from the first petitioner with intention to sell the same for higher price and on 20.07.2016, when the respondent police conducted a surprise inspection in the house of the first accused, they found 63 bags containing 3150 Kilograms of PDS Rice and seized the same. On complaint, a case has been registered for the above said offences.

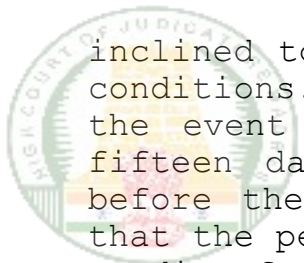
3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they has been falsely implicated in this case on the basis of confession given by A.1.

4.The learned counsel for the petitioners submitted that the petitioners are willing to deposit a total sum of Rs.20,000/- to the credit of Crime No.33 of 2016 before the learned Judicial Magistrate No.II, Ramnad.

5.The learned Government Advocate (crl.side) filed a counter affidavit and submitted that by this act, the petitioners and A.1 have deprived the benefit given by the Government to the poor people. Investigating is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Considering the facts and circumstances of the case and also considering the contention of the petitioners, this Court is



inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Ramnad on condition that the petitioners shall deposit a total sum of Rs.20,000/- to the credit of Crime No.33 of 2016 before the learned Judicial Magistrate No.II, Ramnad and each of them shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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 petitioners 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].

7.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-

12/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMNAD
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
TAMILNADU CIVIL SUPPLIES (CID),
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.BALAMURUGAPANDI Advocate SR.No.44204

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