



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

Thursday, the First day of September Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.14293 of 2016

M.SENTHIL KUMAR

... PETITIONER/ACCUSED No.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID,- MADURAI,
RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR. NO.36/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.K. KANNAN 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 :-

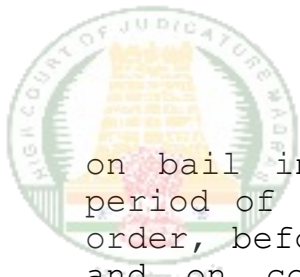
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 6(2)(3) (4) TNSC (RDCS) order of 1982, r/w. 7(1)(a)(ii) of EC Act, 1955 in Crime No.36 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that petitioner along with other accused illegally transported 120 bags of PDS rice, totally weighed at 6000 kg by using vehicle bearing Regn. No.TN 04 X 4439, from three ration shops for selling to higher rates. On complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted tha petitioner is willing to deposit a sum of Rs.40,000/- and prays for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner along with other accused illegally transported 6000kgs of PDS rice and the investigation of the case is pending.

5. Considering the nature of allegations levelled against the petitioner and the contention of the learned counsel for the petitioner that the petitioner is willing to deposit a sum of Rs.40,000/-, I am 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 his 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, Ramanathapuram and on condition that the petitioner shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) to the credit of Crime No.36 of 2016 and he 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

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

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

01/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
 - 2 DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID, - MADURAI
RAMANATHAPURAM POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.K. KANNAN Advocate SR.No.49147

ORDER IN

CRL OP(MD) No.14293 of 2016

Date : 01/09/2016