



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

Monday, the Twenty Seventh day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.8992 of 2016

KUMARESAN @ KUMARAVEL

... PETITIONER/ACCUSED NO.I

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
CSCID,
KARUR DISTRICT.
CRIME NO.14/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.ALAGUMANI Advocate

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

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

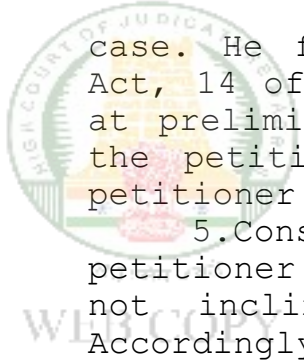
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(4) TNSTC read with 7(1a(ii) of EC Act, 1955, in Crime No.14 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 02.02.2016, the respondent police on information intercepted the lorry bearing Registration No.TN 30 AM 4401 inscribed with "PRM" and one Indica Car bearing Registration No.TN 38 P 4045 standing behind vacant land Bharat Petrol bunk in Karur-Coimbatore road in Aravakurichi Taluk, Karur District. On search it was found that the petitioner along with two other accused were loading 162 gunny bags each containing 50 kgs of PDS rice in the lorry to smuggle to Kerala. The petitioner escaped from the scene of occurrence. A2 & A3 were arrested. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) filed counter affidavit and submitted that the petitioner along with other accused persons were smuggled 8400 kgs of PDS rice to Kerala to sell the same at higher price. The petitioner is having 5 previous case similar in nature. As this Court was not inclined to grant anticipatory bail to the petitioner, the learned counsel for the petitioner withdrew the earlier petition in Crl.O.P(MD)No.4912 of 2016 on 21.03.2016 and there is no change in circumstances in this



case. He further submitted that other two accused detained under Act, 14 of 1982 and the petitioner is absconding. Investigation is at preliminary stage and therefore the custodial interrogation of the petitioner is necessary to find out the involvement of the petitioner in other cases.

5. Considering the serious allegations made against the petitioner and also considering the previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-

27/06/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE, CSCID, KARUR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ALAGUMANI Advocate SR.No.34049
AM

CSL/GSV-PM/SAR-I/04.07.2016 : 2P/4C

ORDER

IN

CRL OP(MD) No.8992 of 2016

Date :27/06/2016