



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

Monday, the Twenty Third day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14037 of 2017

1 C.AASAI
2 PRABAKARAN

... PETITIONERS/ACCUSED 1 & 2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID.,
UTHAMAPALAYAM, THENI DISTRICT.
CRIME NO.133/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.LENIN KUMAR Advocate
For Respondent : MR.K.ANBARASAN, 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 Nos.1 and 2, apprehend arrest at the hands of the respondent police for offences punishable under Sections 6(4) of TNSC (RDSCS) Order 1982 r/w. 7(1) (a)(ii) of Essential Commodities Act, 1955 in Crime No.133 of 2017, on the file of the respondent police, seek anticipatory bail.

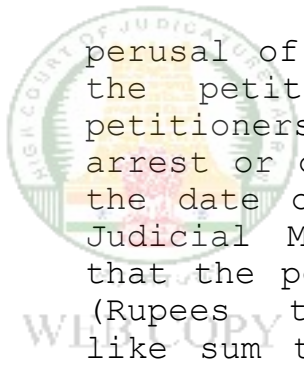
2.The case of the prosecution is that on 10.10.2017, during the surprise check made by the the respondent police and his subordinates, 57 bags (each containing 50 kgs) of rice meant for public distribution system, have been seized from the petitioners' residential address. Hence, a case has been registered against the petitioners for the above said offences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to cooperate with the investigation and are ready to abide any condition imposed by this Court.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that in similar type of a case, this Court has imposed a condition by directing the petitioner to hand over the rice bags to an orphanage and the copy of the order was also produced before this Court.

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

5.Considering the facts and circumstances of the case and on



perusal of the order, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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, Uthamapalayam, Theni District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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) Each of the petitioners shall deposit five bags of rice (each containing 50 kgs) to the Rojavanam Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai, within a period of one week from the date of receipt of a copy of this order. After such deposit of 10 bags of rice, the learned Magistrate shall accept the sureties furnished by the petitioner;

(ii) the petitioners shall report before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed.

sd/-

23/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT
- 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID., UTHAMAPALAYAM,
THENI DISTRICT.
- 4 THE OFFICER IN CHARGE
ROJAVANAM HOMELESS & AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.32978
ORDER IN

CRL OP(MD) No.14037 of 2017
Date :23/10/2017