



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

Tuesday, the Thirty First day of October Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14660 of 2017

SANTHOSH

... PETITIONER/ACCUSED No.3

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE
TIRUNELVELI CIVIL SUPPLIES (CSCID)
POLICE STATION, TIRUNELVELI
(CRIME NO.187/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.DURAI RAJ 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 petitioner/A3, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 6(4) of TNSE (RDCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.187 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 17.10.2017, during the surprise check made by the the respondent police and his subordinates, 2,500 kgms of PDS rice meant for public distribution system, have been seized from the petitioners' residential address. Hence, a case has been registered against the petitioner for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and they has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to cooperate with the investigation and is 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 NMR SUPPURAMAN PRIMARY SCHOOL, S.P.K.S.

and the copy of the order was also produced before this Court.

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 petitioner is 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, Tirunelveli, 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) The petitioner shall deposit 10 bags of rice (each containing 50 kgs) to NMR SUPPURAMAN PRIMARY SCHOOL, S.P.K.S. Thangaraj Salai, Law College near, 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner 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/-
31/10/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, TIRUNELVELI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT



3

3 THE INSPECTOR OF POLICE
TIRUNELVELI CIVIL SUPPLIES (CSCID)
POLICE STATION, TIRUNELVELI

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.R.DURAI RAJ Advocate SR.No.33651

ORDER
IN
CRL OP(MD) No.14660 of 2017
Date :31/10/2017

SMA/RR/SAR-1/08.11.2017:2P/6C