



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14960 of 2017

1 VAIRAMOOTHY
2 MURUGAN

... PETITIONERS / ACCUSED NO.8 & 9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., MADURAI
CRIME NO. 183 OF 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.

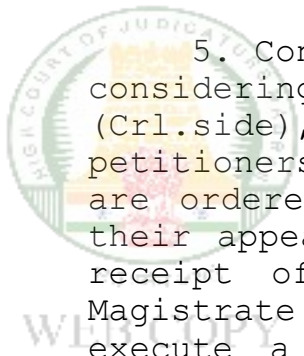
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.8 and 9, apprehend arrest at the hands of the respondent police for the offences punishable under Clause 6(2)(3)(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.183 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that first petitioner is the owner of the vehicle and the second petitioner is the father of the first petitioner. On 31.10.2017, the respondent police registered a case based on a complaint given by the Inspector of Civil Supplies. When the respondent police conducted a vehicle check up, they intercept a lorry bearing Registration No.TN-39-9119 and found 8 bags of unaccounted P.D.S rice (each contains 50 kgs) and the same was seized by the respondent police.

3.The learned counsel for the petitioners submitted that the first petitioner is the contractor and the petitioners have not committed any offence as alleged by the prosecution. He further submitted that after discharge of the rice bags meant for P.D.S, surplus rice bags were on the way to hand over them to the Godown of Civil Supplies Corporation.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that investigation is almost completed.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), 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 No.III, Madurai, 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 petitioners shall report before CBCID police, daily at 10.30 a.m., for a period of three weeks, and thereafter, as and when required for interrogation, in the meanwhile, the petitioner should not commit the similar type offence;

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

(iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not abscond either during investigation or trial;

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

(vi) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

06/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D., MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.LENIN KUMAR Advocate SR.No.33856

ORDER IN
CRL OP(MD) No.14960 of 2017
Date :06/11/2017