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

Wednesday, the Twenty Second day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16000 of 2017

JAYASEKARAN ... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D.,
TIRUNELVELI,
Crime No.199/2017 ... RESPONDENT/COMPLAINANT

For Petitioner : Mr.D.VENKATESH Advocate

For Respondent : Mr.K.ANBARASAN, Government 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.5, apprehends arrest at the hands of the respondent police for the offences punishable under Sections Clause 6(4) of the TNCS (RDCS) Order 1982 r/w. Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.199 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 10.11.2017, when the respondent police conducted vehicle check up, they found that the petitioner has illegally transported 95 bags and 10 bags of PDS rice (each contains 50 kgs) through lorry and TATA Ace bearing registration Nos.TN-04-A-7692 and TN-65-M-1108. Thereby, the respondent police registered a case against the petitioner for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he 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.

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4. The learned Government Advocate (Crl.side) appearing for the State submitted that the rice bags have been recovered by the respondent police. He further submitted that this Court has already granted anticipatory bail to the A4.

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 petitioner with certain conditions. 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, Tirunelveli, on condition that the petitioner 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 a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.199 of 2017 before the learned Judicial Magistrate No.II, Tirunelveli, without prejudice to his defence before the trial Court within a period of two weeks from the date of receipt of copy of this order. After such deposit, the trial Court shall accept the sureties furnished by the petitioner.

(ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders;

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

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not abscond either during investigation or trial;

(vi) the petitioner shall not commit any offence while on bail;

(vii) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the

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petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
22/11/2017

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

TO

1 THE JUDICIAL MAGISTRATE NO II
TIRUNELVELI

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., TIRUNELVELI.

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

+1. CC to M/S.D.VENKATESH Advocate SR.No.34896

ORDER IN
CRL OP(MD) No.16000 of 2017
Date :22/11/2017

mrn
SH/CM-VR/SAR-2:29.11.2017:3p/6c

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