



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

Friday, the Twenty Second day of December Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.17254 of 2017

MUTHURAMALINGAM

... PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID.,
MADURAI.
(Crime No.203 OF 2017).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

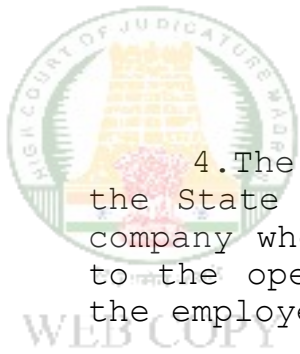
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who is arrayed as Accused No.6, apprehends 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.203 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the A3 is the Manager of A1, A4 and A5 are the lorry drivers of A1 company. On 05.12.2017, the law enforcing agency has conducted a surprise check and it was found unauthorized smuggling of essential commodities, which were loaded in the lorry bearing Registration Nos.TN-28-V-6162 and TN-67-A-3252, which were parked in the Kalmedu Narikuravar Colony. Thereafter, the law enforcing agency has seized 210 PDS rice bags, which were meant for Public Distribution System. Hence, the law enforcing agency registered a complaint against the petitioner and other accused.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that this Court has already granted anticipatory bail to A4 and A5 in Crl.O.P. (MD) NO.16979 of 2017 dated 11.12.2017.



4. The learned Government Advocate (Criminal side) appearing for the State submitted that the A3 is working as a Manager in the A1 company who has prepared a bogus material to supply the ration rice to the open market. However, the petitioner and other accused are the employees and other lorry drivers of A1 company.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal 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 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 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 report before the respondent police, daily at 10.30 a.m. and 5.30 p.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 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 petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
22/12/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO III
MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID., MADURAI,

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

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.36943

ORDER

IN

CRL OP(MD) No.17254 of 2017

Date :22/12/2017

mrn

SH/PN/SAR-3:26.12.2017:3p/6c