



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.17980 of 2017

N. RAMESH

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CSCID, VIRUDHUNAGAR DISTRICT,
CRIME NO.142/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHALINGAM 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 :-

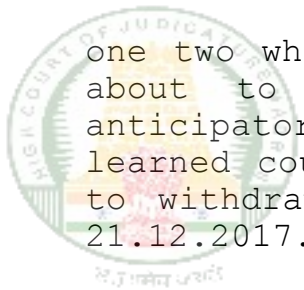
The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(2),6(3),6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of E.C.Act, 1955, in Crime No.142 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that while the police party was in regular vehicle checkup, they found that the petitioner/A2 and other accused persons were in possession of 910 tons of PDS rice. Subsequently, the respondent police seized the vehicles with rice and arrested the accused persons/A4, A7 & A8. Thereby, case was registered against the accused persons.

4.It is submitted by the learned counsel for the petitioner that the petitioner is the Manager of four Ration Shops and he is not at all an accused. Based on the confession statement given by A4, A7 and A8, the petitioner was falsely implicated in this case. He further submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and prays for anticipatory bail.

5.The learned Government Advocate (Crl.side) submitted that the petitioner is one of the accused, who involved in illegal transport of PDS rice and that the police have seized one lorry, one van and



one two wheeler. According to the prosecution, when this Court was about to dismiss the case filed by the petitioner seeking anticipatory bail in Crl.O.P(MD).No.17682 of 2017, on merits, the learned counsel for the petitioner sought permission of this Court to withdraw the case and the same was dismissed as withdrawn on 21.12.2017.

6. Mere withdrawal of the earlier anticipatory bail petition cannot be considered as one of the change of circumstances, but however taking note of the serious offence committed by the petitioner, this Court finds that the petitioner is not entitled to get any relief in this anticipatory bail petition. Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/12/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
CSCID, VIRUDHUNAGAR DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17980 of 2017

Date :28/12/2017

MKV-PM-PN-SAR 3/3.1.2018/2P-3C