



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

Thursday, the Twenty Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1130 of 2018

ANBALAGAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
C.S.CID., UTHAMAPALAYAM,
THENI DISTRICT.
IN CR.NO.155/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / Sole accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 6(4) TNSC (RDCS) order 1982 r/w.7(1)(a)(ii) of Essential Commodities Act, 1985, in Crime No.155 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, the defacto complainant conducted a search in the house of the petitioner and found 12 bags of PDS Rice, weighing 600 kgs. Hence, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the property, which was stolen away by the petitioner during the time of occurrence has been recovered. According to him investigation is not completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The submissions made by the learned counsel on either side are considered. According to prosecution, during the time of occurrence, the petitioner found possession of 12 bags of PDS Rice



weighing 600 kgs. So, considering the quantity of rice which was possessed by the petitioner at the time of occurrence, custodial interrogation of the petitioner is necessary for completing the investigation. Therefore, considering the gravity of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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sd/-
25/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
C.S.CID., UTHAMAPALAYAM, THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1130 of 2018
Date :25/01/2018

MKV-CM-VR-SAR 4/1.2.2018/2P-3C