



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

Friday, the Second day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3320 of 2018

N.RAMESH

... PETITIONER/2nd ACCUSED

Vs

THE STATE REP.BY ITS.,
THE INSPECTOR OF POLICE,
C.S.C.I.D., VIRUDHUNAGAR DISTRICT.
(IN CRIME NO.142 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHALINGAM, Advocate

For Respondent : M/S.A.ROBINSON, 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.2, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 6(2), 6(3), 6(4) of TNSC (RDSC) Order 1982 r/w. 7(1)(a)(ii) of E.C. Act, 1955, in Crime No.142 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused are said to have transported 9 ½ Tonnes of Ration rice, by using Lorries bearing Regn. Nos.TN-69-AL-9307 and TN-75-A-6139 AL-Mina. Thus, on complaint, a case has been registered against the petitioner.

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 and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation of the case is not completed.



5. The submissions made by the learned counsel appearing on either side are considered.

6. It is alleged, during the time of occurrence, the petitioner being the Supervisor of fair-price shops, along with other accused transported the ration rice to the tune of 9 ½ Tones. Even though two Lorries which was used for the commission of offence and ration rice are recovered, considering the quantum of the rice, which was transported illegally, this Court came to the conclusion that the offence committed by the petitioner is heinous one. Moreover, some of the accused in this case are not yet arrested, thereby, the charge sheet is not filed.

7. Considering the facts and circumstances of the case and also considering the fact that if the anticipatory bail is granted in favour of the petitioner, there may a chance for tampering the witnesses and hampering the investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/03/2018

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

TO

- 1 THE INSPECTOR OF POLICE,
C.S.C.I.D., VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3320 of 2018
Date :02/03/2018

PK/CSL/SAR-4/08.03.2018 : 2P/3C