



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17541 of 2017

R.RAJEEV,

... PETITIONER /SOLE ACCUSED

Vs

INSPECTOR OF POLICE,
CSCID WING,
KANYAKUMARI DISTRICT
AT NAGERCOIL.
CRIME NO.158 OF 2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.P.NARAYANAKUMAR Advocate

For Respondent : MR.K.S.DURAI PANDIAN, Additional Public Prosecutor

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

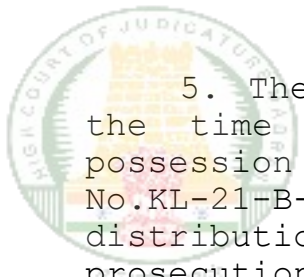
ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSE (RDCF Order) r/w. 7(1)(a)(2) of EC Act, in Crime No.158 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.09.2017, when the police personnel was on regular vehicle check up, the special Thasildar flying squad found that an unknown person drove the vehicle bearing Registration No.KL-21-B-4961, in which he has illegally transported 4 tons of PDS rice without any valid permission to Kerala. Based on the complaint, case has been registered for the above said offences. The petitioner is the owner of the vehicle and the vehicle was seized by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions, would submit that the investigation is still pending.



5. The submissions made by either side are considered. During the time of alleged occurrence, the petitioner had found in possession of 4 tons of PDS rice in a vehicle bearing Registration No.KL-21-B-4961. No doubt the said rice is for the purpose of distribution among the poor people. Now, according to the prosecution, investigation is not completed.

WEB COPY

6. In the above circumstances, considering the background of the petitioner, this Court came to the conclusion that if the application is allowed, the petitioner may try to tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/01/2018

/ TRUE COPY /

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

pjl
TO

1 THE INSPECTOR OF POLICE,
CSCID WING, KANYAKUMARI DISTRICT AT
NAGERCOIL.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.P.NARAYANAKUMAR Advocate SR.No.329

GJM/RR/SAR-I-10.1.18-2P-4C

ORDER
IN
CRL OP(MD) No.17541 of 2017
Date :05/01/2018