



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

Thursday, the Twenty Fifth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18988 of 2018

P.MARIAPPAN

... PETITIONER / 2nd ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D,
TIRUNELVELI.
CRIME NO.130 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.LENIN KUMAR Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

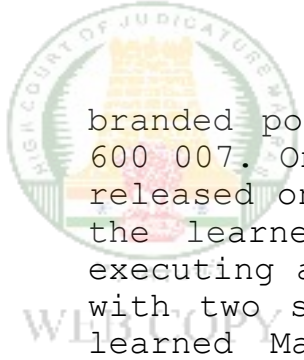
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Clause 6(2)(3) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.130 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that based on the secret information, the respondent police seized 30 bags of rice. On enquiry, the driver of the vehicle gave a confession that as per instruction of the petitioner, he has illegally transported the PDS rice. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the entire contraband is recovered from the first accused and the investigation is pending.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner is directed to contribute 5 bags of



branded ponni rice to Anbagam, Race Course Road, K.Pudur, Madurai 600 007. On receipt of such supply, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Tirunelveli and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
25/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
TIRUNELVELI.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.20272

COPY TO:

THE OFFICER INCHARGE,
ANBAGAM, RACE COURSE ROAD,
K.PUDUR, MADURAI 600 007.

ORDER
IN
CRL OP(MD) No.18988 of 2018
Date :25/10/2018

JM/VR MMS/SAR 2/01.11.2018/2P/7C