



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

Wednesday, the Nineteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

**CRL OP(MD) No.22365 of 2018**

S.THIRUGANASAMBANTHAM ... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY,  
INSPECTOR OF POLICE  
CSCID- CHENNAI,  
KARUR.

(CRIME NO.76 of 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.BALASUBRAMANI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI  
Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Section 6(3) & 14 of Tamil Nadu Scheduled Commodities (RDCS) Order 1982 r/w 7(1) (a) (ii) of the Essential Commodities Act, 1955, in Cr.No.76 of 2018 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is a sales man in fair price shop in shop No.4, Pallapatti. There was a inspection held for a period from 01.01.2011 to 30.06.2011, where the petitioner had mis appropriated a sum of Rs.21,678/- by creating forged bills and sold the goods for higher price to others, thereby deprived the beneficiary's needs. Thereafter, the petitioner was suspended on 27.03.2012 and domestic enquiry was conducted and the report was submitted on 03.07.2015. On the basis of the report, the case was registered on 16.11.2018 on the complaint given by Deputy Registrar of Co-operative Societies.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and not committed any offence as alleged by the prosecution.



4. The learned Government Advocate (Crl. Side) contended that the petitioner not to be allowed to retire and to avail his terminal benefits.

5. Occurrence is said to have taken place during the year 2011 and all the documents are available with the society and the respondent case in counter case.

6. Taking into consideration the facts of the case, this Court inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. I, Karur, on condition that the petitioner shall execute 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police on all Fridays at 5.00 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
19/12/2018

/ TRUE COPY /

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

TO



2 DO THROGUH THE CHIEF JUDICIAL MAGISTRATE  
KARUR

3 THE INSPECTOR OF POLICE  
CSCID- CHENNAI, KARUR.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.K.BALASUBRAMANI Advocate SR.NO. 23654

ORDER

IN

CRL OP (MD) No.22365 of 2018

Date :19/12/2018

MSI/VR-MMS/SAR-III/26.12.2018-3P/6C