



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

Wednesday, the Twenty Eighth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21052 of 2018

R.DEIVENDRAN

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
CS CID (CIVIL SUPPLY CID),
MADURAI, MADURAI DISTRICT.
(CRIME.NO.192/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.KARTHIC RAJAN Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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 Sections 6(2), 6(3), 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order 1982 r/w 7 (i)(a)(ii) of Essential Commodities Act, 1955, in Cr.No.192 of 2018 seek anticipatory bail.

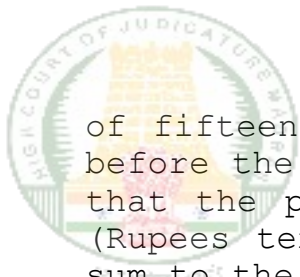
2.The case of the prosecution is that the petitioner along with other accused illegally transported 10 bags of rice from the Fair Price Shop.

3. The learned counsel for the petitioner would submit that a false case has been foisted against him and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is arrayed as A5. The vehicle involved in this case has been seized.

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

6. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period



of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the said Magistrate, on further condition that:

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[a] The petitioner shall deposit a sum of Rs.5,000/- (Rupees five Thousand only) to the credit of the crime number before the concerned Judicial Magistrate Court.

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

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

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

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

[f] 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]**.

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

sd/-
28/11/2018

/ TRUE COPY /

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

TO



2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
CS CID (CIVIL SUPPLY CID), MADURAI,
MADURAI DISTRICT.

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

+1. CC to Mr.R.KARTHIC RAJAN Advocate SR.No.21052

PS/JC/SAR-1/05/12/2018/3P/6C

ORDER

IN

CRL OP (MD) No.21052 of 2018

Date :28/11/2018