



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

Thursday, the Twenty First day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2684 of 2019

AYYADURAI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT
IN CRIME NO.11/2019

... RESPONDENT

For Petitioner : MR.D.ANBARASU, Advocate

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

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

ORDER : The Court Made the following order :-

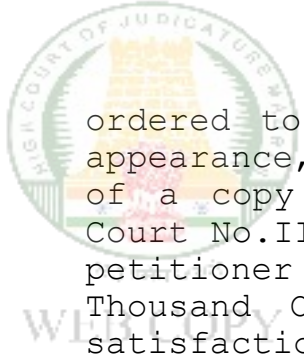
The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 6(4) Order 4 read with 7(1)(a)(ii) of EC Act, in Cr.No.11 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that on 24.01.2019, the petitioner smuggled 200 kgs of rice meant for Public Distribution System in a vehicle. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the Court below already granted anticipatory bail to the petitioner, however, the petitioner is not able to comply with the conditions imposed by the Court below. Hence, the petitioner filed this anticipatory bail petition.

4.The learned Government Advocate(Crl.side) appearing for the respondent police not disputed the above submissions.

5.In view of the above, this Court is inclined to grant anticipatory bail to the petitioner. 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 Court No.II, Kamuthi, Ramanathapuram District, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
KAMUTHI, RAMANATHAPURAM DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT



3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT

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

+1. CC to MR.D.ANBARASU, Advocate SR.No.3553

ORDER
IN
CRL OP(MD) No.2684 of 2019
Date :21/02/2019

GNS
PK/JC/SAR-2/06.03.2019 : 3P/6C