



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

Thursday, the Tenth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.386 of 2019

MUTHUMARIAPPAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
THOOTHUKUDI DISTRICT.
(IN CRIME NO. 1 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.SUKUMAR 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, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 6(4) of TN Scheduled Commodities (RDCS) order, 1982 and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.1 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner kept 950 kgs of rice meant for Public Distribution System.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he had nothing to do with the alleged crime. Hence, anticipatory bail may be granted to him.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation is in progress.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:-

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned



Judicial Magistrate, Thoothukudi, and on his executing 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 learned Magistrate concerned and on further conditions that;

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

[b] the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Rojavanam, Home for Aged and Poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai;

[c] The petitioner report before the respondent Police 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
10/01/2019

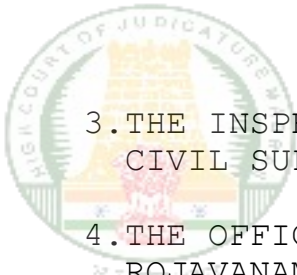
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
THOOTHUKUDI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT



3. THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID, THOOTHUKUDI DISTRICT.

4. THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR AGED AND POOR,
ULAGANERI, MELUR ROAD, MADURAI.

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

+1. CC to MR.S.SUKUMAR Advocate SR.No.616

ORDER
IN
CRL OP(MD) No.386 of 2019
Date :10/01/2019

AE/JC/SAR3/22.01.2019/3P/7C