



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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22544 of 2018

MURUGALAKSHMI

... PETITIONER /SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
C.S.C.I.D. THOOTHUKUDI,
THOOTHUKUDI DISTRICT,
(CRIME NO. 158 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.N.PRAGALATHAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Cr1. 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 Sections 6(2) & 6(3) of Tamilnadu Scheduled Commodities (RDCS) Order - 1982 r/w Section 7(1) (a) (ii) of EC Act, 1955, in Cr.No.158 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that while conducting inspection in the Fair Price Shop, the defacto complainant found that the petitioner had committed some irregularities in the shop. Hence, the case has been registered.

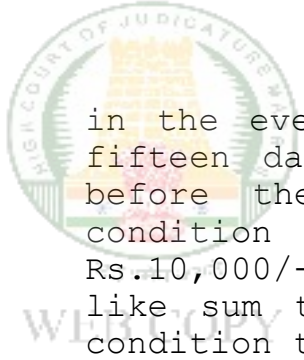
3.The learned counsel for the petitioner would submit that a false case has been foisted against her and she has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Cr1. Side) submitted that the petitioner has been committed malpractice and irregularities.

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

<https://hcservices.ecourts.gov.in/hcservices/>

6.Accordingly, the petitioner is ordered to be released on bail



in the event of arrest or on her 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, Thoothukudi 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 deposit a sum of Rs.7,500 (Rupees Seven thousand and five hundred only) to the credit of the Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai.

[c] the petitioner shall 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

02/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO III
THOOTHUKUDI, THOOTHUKUDI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE
C.S.C.I.D. THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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



COPY TO:- THE OFFICER-IN CHARGE,
ROJAVANAM, HOMELESS & AGED CARE CENTRE,
MELUR ROAD, UTHANGUDI, MADURAI.

WEB COPY

+1. CC to MR.N.PRAGALATHAN Advocate SR.No.53

ORDER

IN

CRL OP (MD) No.22544 of 2018

Date :02/01/2019

MSI/JC/SAR-IV/07.01.2019-3P/7C