

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 8030 of 2020

Armstrong,
S/o. Kasilingam,
Konneri Kuppam,
Thiriyalam, Pullaneri,
Tirupattur,
Vellore District.

.. Petitioner/ Accused

The State rep. by its
The Inspector of Police,
CSCID Police Station,
Vellore District.

[Crime No. 301 of 2019]

Vs.

.. Respondent/ Complainant

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr. M. Ajith Kumar
for Mr. M. Sathish Kumar

For Respondent : Mr. M. Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Section 6(4) of TNSC (RDCS) order 1982 read with Section 7(i) a (ii) of EC Act, 1955, in Crime No. 301 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that, on 23.12.2019, the respondent Police found that the petitioner was in possession of 1,100 kgs of PDS rice meant for distribution to the poor people, in his house. On complaint, a case has been registered under Section 6(4) of TNSC (RDCS) order 1982 read with Section 7(i) a (ii) of EC Act, 1955.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He is working only on daily wage and prayed for granting anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner was in illegal possession of 1,100 kgs of PDS rice and the same was seized from the backyard of his house. The investigation is pending. The earlier petition filed by the petitioner in Crl. O.P. No. 6576 of 2020 was dismissed by this Court on 20.03.2020, there is no change of circumstances and hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the serious nature of offences alleged against the petitioner that he was in possession of 1,100 kgs of PDS rice meant for public distribution, there is no change of circumstances from the date of dismissal of the earlier petition filed by the petitioner for anticipatory bail and the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

29.05.2020

Index : Yes / No

gsa

To

1.The Inspector of Police,
CSCID Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

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