



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

Date : 27/02/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.3363 of 2020

1.K.Rajalakshmi
2.K.Sivaprakash

... Petitioners/Accused

Vs

The Senior Intelligence Offier,
Office of DRI, Tuticorin,
No.22/14, Celin Garden,
Roche Colony,
South Beach Road,
Tuticorin.

... Respondent/Complainant

For Petitioners : M/s.R.Sevugaraja,
Advocate.

For Respondent : Mr.Sekar @ Arul Vadivel Sekar,
Standing Counsel

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C
PRAYER :-

For Anticipatory Bail to the petitioners in connection with the
CBIC-DIN-202002DDZ300000CE46 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the
learned standing counsel appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences under section 132 or 133 or 135A
of Customs Act, 1962 in CBIC-DIN-202002DDZ300000CE46 on the file of
the respondent police, seek anticipatory bail.

3. The learned standing counsel would point out that Kwalitee
Fabs had fraudulently availed the benefit under MEIS scheme and had
cheated the Government to the tune of Rupees Two Crores. The said
company had misdeclared their export items as handloom items when
they are powerloom items. The managing partner of the company
namely., Mr.Kamaraj has been arrested. The first petitioner is his
wife while the second petitioner is his son.



4. The petitioners' counsel would state that it was Mr.Kamaraj, who was in charge of the firm and that the petitioners were not active partners.

5. Since the main accused has been arrested, I am of the view that the arrest of the petitioners or their custodial interrogation is not necessary. Hence, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Additional Chief Judicial Magistrate, Madurai, and on their 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 condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of seven days and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
27/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, MADURAI.

2.THE SENIOR INTELLIGENCE OFFIER,
OFFICE OF DRI, TUTICORIN,
NO.22/14, CELIN GARDEN,
ROCHE COLONY, SOUTH BEACH ROAD, TUTICORIN.

+1. CC to M/S.R.SEVUGARAJA Advocate SR.No.4256

ORDER
IN
CRL OP(MD) No.3363 of 2020
Date :27/02/2020

ias
TK/VR/SAR.3/27.02.2020/2P/4C

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