



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) . No.6841 of 2020

S.Sekar

... Petitioner/Accused No.5

Vs

State represented by
The Inspector of Police,
Tirunelveli Police Station,
Cscid -Madurai District.
Cr.No.183/2019.

... Respondent/Complainant

For Petitioner : M/s.P.Kalaiyarasi Bharathi,
Advocate.

For Respondent : Mr.S.Chandarasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Cr.no.183 of 2019 in the file of the
Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under Section 6(4) of
TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of Essential
Commodities Act, in Crime No.183 of 2019, on the file of the
respondent police, seeks anticipatory bail.

3.The learned counsel for the petitioner states that the
petitioner is a Salesman in a fair price shop and he has been
arrayed as 5th accused for illegally disposing 40 bags of PDS Rice.

4.The learned Additional Public Prosecutor appearing for the
State submits that on completion of the investigation, final report
has already been filed.



5. Taking note of the above facts, this Court is inclined to grant anticipatory bail to the petitioner by imposing conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to 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 learned Judicial Magistrate No.I, Tirunelveli, on all hearing dates for earlier disposal of the trial ;

(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]**; and;

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

sd/-

30.06.2020

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

SJI

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. The Judicial Magistrate No.I, Tirunelveli.
2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.
3. The Inspector of Police,
Tirunelveli Police Station,
Cscid - Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6841 of 2020
Date : 30/06/2020

VB SKN SAR 2 (02.07.2020) 3P 5C