



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

Date : 03/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11889 of 2020

B.Venkada Pandiyan

... Petitioner/ 3rd Accused

Vs

State Rep.by
The Inspector of Police,
C.S.C.I.D, Madurai.
(Crime No.133 of 2020)

... Respondent/Complainant

For Petitioner : Mr.T.Dhandapani,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For an Anticipatory Bail in Crime No.133 of 2020 on the file of the respondent police.

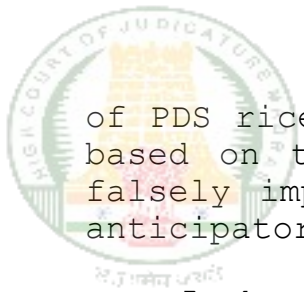
ORDER : The Court made the following order :-

The petitioner, who is arrayed as A3, apprehending arrest at the hands of the respondent police for the offences punishable under Clause 6(2)(3)(4) of TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.133 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 60 bags of rice (each contains 50 kgs). Hence, the crime has been registered.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

4.The learned counsel appearing for the petitioner submitted that the petitioner is working as a salesman in Krishnapuram Colony Pandian Fair Price Shop No.II. He further submitted that the petitioner name is not found in the FIR. In fact, on inspection, the authority concerned have not found any shortage and in the stock



of PDS rice in the fair price shop. He further submitted that only based on the confession statement of A1, the petitioner has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl. side) appearing for the respondent police submitted that totally there are three accused in this case, in which, the petitioner has been arraigned as A2. He further submitted that the petitioner is the main person and the petitioner and A1 have illegally transported PDS rice in other States. He further submitted that the custodial interrogation of the petitioner is very much required, since it is very serious crime.

6.Considering the facts and circumstances of the case and considering the fact that the custodial interrogation of the petitioner is very much required, since the petitioner has committed very serious offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
03/11/2020

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

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 INSPECTOR OF POLICE,
C.S.C.I.D, MADURAI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11889 of 2020
Date :03/11/2020