



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/12/2020

PRESENT

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

CRL OP(MD). No.14609 of 2020

B.Venkatapandiyan

... Petitioner/3rd Accused

Vs

The State rep by
The Inspector of Police,
C.S.CID., Madurai.
Cr.No. 133 of 2020.

... Respondent/Complainant

For Petitioner : M/s.G.D.Manikandan,
Advocate.

For Respondent : Mr.Kr.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No. 133 of 2020 on the file of the respondent police.

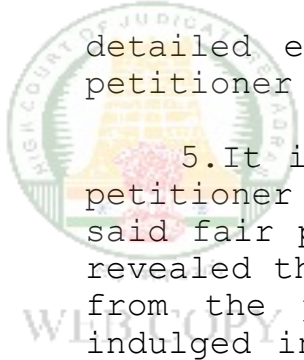
ORDER : The Court made the following order :-

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

2. The petitioner 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.

3. The case of the prosecution is that when the respondent police was on surveillance, a Minivan bearing Registration No.TN-48-W-2427 was found in possession of 60 bags of PDS rice. It is revealed from the confession statement of A1 that the petitioner only drove the vehicle. Hence, the complaint has been registered.

4.The learned counsel for the petitioner submitted that the petitioner was not arrayed as accused in the FIR and he has been implicated based on the confession statement of A1. He further submitted that there is no shortage in the fair-price shop after a



detailed enquiry. Therefore, the custodial interrogation of the petitioner is not necessary.

5. It is seen that there are totally three accused in which the petitioner arrayed as A3. The petitioner is the sales man in the said fair price shop. On perusal of the confession statement of A1 revealed that he purchased the PDS rice to the tune of 3000 kgs only from the petitioner's shop. The petitioner being a sales man indulged in very serious crime. Hence, this Court is not inclined to grant anticipatory bail. This criminal original petition stands dismissed.

sd/-
11.12.2020

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

IAS

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.CID., Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.14609 of 2020
Date : 11/12/2020

VB RSK SAR 2 (17.12.2020) 2P 3C