

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.3647 of 2021

J.SILAMBARASAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CSCID, THIRUVANNAMALAI,
TIRUVANNAMALAI DISTRICT
(CRIME NO. 123/2020)

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.M.KRISHNAMOORTHY Advocate

For Respondent : M/S. S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police in connection with a case registered in Crime No.123 of 2020 for the alleged offence under order 6(4) of Tamil Nadu Scheduled Commodities (RECS) Order 1982 and 7(1)(a)(ii) of The Essential Commodities Act, 1955 seeks anticipatory bail.

2. There are totally 4 accused involved in this case and the petitioner has been arrayed as A2. The petitioner is said to have transported 65000 KGs of rice meant for public distribution system.

3. The learned counsel for the petitioner would submit that the petitioner is the driver of the lorry and is innocent of the alleged offence. He has been falsely implicated based on the confession of A1. According to him, A1 who was arrested and remanded to judicial custody, had already been released on bail.

4. The learned Additional Public Prosecutor would submit that the petitioner transported 65000 KGs of rice meant for Public Distribution System illegally. He would further submit that the petitioner is a habitual offender and he has three previous cases of similarly nature registered against him.

5. Considering the nature of the offence and also the alleged involvement of the petitioner in three other cases of similar nature, this court is of the considered view that it is not a fit case for the grant of anticipatory bail as there is every possibility of repeating the offence by the petitioner, if he is released on bail. Thus, the Criminal Original Petition deserves only to be dismissed and the same is dismissed accordingly.

-sd/-
25/02/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
CSCID, THIRUVANNAMALAI,
TIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.KRISHNAMOORTHY Advocate on payment of necessary charges

CRL OP.3647/2021

Date :25/02/2021

WEB COPY

MN-15/03/2021