

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

Coram

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

Crl.O.P.No.9254 of 2021

Parimala

.. Petitioner

Versus

State Rep. By

The Inspector of Police,
CSCID Police Station, Salem
Salem District.

(Crime No.61 of 2021)

... Respondent

This Criminal Original Petition is filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in the event of his arrest in Crime No.61 of 2021 on the file of the Inspector of Police, CSCID Police Station, Salem, Salem District.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offences under Section 6(4) of the Tamil Nadu Scheduled Commodity (Regulation, Distribution by Card System) Order, 1982, and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.61 of 2021 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is arrayed as A1. On 03.05.2021, at about 10.00 p.m., the respondent Police intercepted a TATA Ace Van, which was driven by A2 Balakrishnan. At the time of searching the van, the respondent Police found 1,500 Kgs of rice meant for public distribution, therefore, the respondent Police arrested the said Balakrishnan and seized the rice bags, which was illegally transported by him. The said Balakrishnan confessed that the petitioner bought the PDS rice from the card holders with less rate and as per the instruction of the petitioner only, he has taken the rice to deliver it to her house. Based on the confession statement given by the co-accused/A2-Balakrishnan, the petitioner was implicated as accused in this case. Hence, a case was registered against the petitioner in Crime No.61 of 2021 by the respondent Police.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that totally there are two accused in this case. the petitioner is A1 and she is the main brain behind this crime. He would further submit that there are three previous cases, similar in nature, pending against this petitioner. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case and also considering the bad antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

-sd/-

13/05/2021

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 POLICE STATION,
SALEM,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9254/2021

Date :13/05/2021

TA-01/07/2021