

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.19915 of 2020

S.Prabhu

... Petitioner

Vs.

State Rep. by the Inspector of Police,
Civil Supply CID,
Krishnagiri District.
(Crime No.122 of 2019)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.122 of 2019 on the file of the respondent police.

For Petitioner : Mr.V.Parthiban

For Respondent : Mr.C.Iyyappa Raj,
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDGS) order 1982 r/w 7(i) a(ii) of Essential Commodity Act, in Crime No.122 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused, indulged in smuggling of 50 gunny bags of PDS rice. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that this is the second application for anticipatory bail. He would further submit that he is a load man and for the purpose of statistics, the case has been registered against him. He would further submit that co-accused in this case has been granted anticipatory bail in CrI.O.P.No.8015 of 2020. He would submit that despite the dismissal of the petition on 05.08.2020, the respondent have not arrested the petitioner/accused sofar and the petitioner is prepared to appear before the respondent for enquiry. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner is a habitual offender involved in 11 previous cases of similar nature pending against him. He would further submit that serious steps are taken to secure the petitioner/accused.

5. This Court also makes it clear that in the earlier dismissal order, this Court had directed the petitioner to surrender before the Court.

6. Taking into consideration, the nature of offence and the antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
06/01/2021

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,
CIVIL SUPPLY C.I.D,
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

WEB COPY

CRL OP.19915/2020

Date :06/01/2021

cs 01/02/2021