



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.241 of 2021

R.Pushpalatha

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Civil Supplies C.I.D.,
Karur, Karur District
Crime No.109/2020.

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony,
Advocate.

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

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

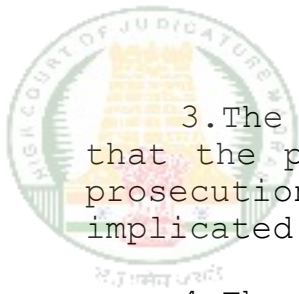
PRAYER :-

For an Anticipatory Bail in Crime No.109 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 apprehending arrest at the hands of the respondent police for the offences punishable under Section 6(iv) TNSC(RDCS) RT Order 1982 r/w Section 7(i)(a)(ii) of Essential Commodities Act 1955, in Crime No.109 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.Totally there are four accused in this case. The petitioner herein is arrayed as A-1. The case of the prosecution is that the petitioner's relative is running a Rice Mill at Nachaloor, Kulithalai Taluk, Karur District. On 19.12.2020, after getting secret information, the respondent police went to Rice Mill at Natchaloor, Kulithalai and found five tons of PDS Rice. Hence, a case has been registered.



3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she is an innocent and she has been falsely implicated in the above said case.

4.The learned Government Advocate (Crl. side) appearing for the State submitted that the said contraband was recovered by the respondent police.

5.Taking note of the above facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is directed to contribute 10 bags of branded ponni rice(each 50 Kgs) to the credit of **Rojavanam, Home for Aged and Poor, Melur Road, Uthangudi, Madurai** and another 10 bags of branded ponni rice(each 50 Kgs) to the credit of **Akash Age Care Home, Shastri Nagar, Kadachanenthall, Madurai**, without prejudice to her defence before the trial Court. On such contribution being made, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned the Judicial Magistrate No.I, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(f)if the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/01/2021

/ TRUE COPY /

WEB COPY

/ /2021

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 JUDICIAL MAGISTRATE NO.I, KARUR.
- 2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D.,
KARUR, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

- 1.THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR AGED AND POOR,
MELUR ROAD, UTHANGUDI, MADURAI.
- 2.THE OFFICER INCHARGE,
AKASH AGE CARE HOME, SHASTRI NAGAR,
KADACHANENTHAL, MADURAI.

ORDER
IN
CRL OP(MD) No.241 of 2021
Date :08/01/2021

sj i
AE/KV/SAR-II (22/01/2021) 3P / 7C