



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6864 of 2021

Sundar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
CSCID Wing Madurai District,
Uthamapalayam Police Station,
Theni District.
(Crime No.62 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Ramu, Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.62 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 6(4) of TNSC (RDSCS) order r/w 7(1) (a)(ii) of Essential Commodities Act in Crime No.62 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that the petitioner had illegally transported 40 bags of PDS rice weighing 1600 kgs and another 14 bags of PDS rice by using TATA Spacio bearing Registration No.TN-72-R-3729 vehicle. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case and hence, he seeks anticipatory bail.



5.The learned Additional Public Prosecutor, on instructions, would submit that the petitioner had illegally transported 2205 kgs of PDS rice to Kerala. He would further submit that the petitioner is having five previous cases of like nature.

6.Reading of FIR as well as the submission of both counsels, it is seen that the petitioner is a habitual offender and he is having 5 previous cases which are similar in nature. Considering the gravity of offence committed by the petitioner, he is not entitled for any discretionary relief and he had illegally transported PDS rice which is meant for poor people. Being an offence against poorman's economy, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/05/2021

/ TRUE 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 INSPECTOR OF POLICE,
CSCID WING MADURAI DISTRICT,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6864 of 2021
Date :21/05/2021

MSA/GNS
MS/PN/SAR-3/26.05.2021/2P.3C