



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.8118 of 2021

Ramamoorthy

... Petitioner/Accused No.3

Vs

The State rep by
The Sub Inspector of Police,
Usilampatti Town Police Station,
Madurai District
Crime No.310/2021.

... Respondent/Complainant

For Petitioner : Mr.Dhandapani T,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 310 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 alleged offences punishable under Sections
6(4) TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities
Act, 1955 in Crime No.310 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 17.06.2021, at about
05.30 am., the defacto complainant received an information from the
Village Assistant that a van bearing registration No.TN 49 AH 3641
met with an accident at Usialmpatti-Madurai main road near
Kongapatti petrol bunk. The defacto complainant visited the place
and found 90 sacks of ration rice, each containing 50 kg. Hence,
the complaint.

3.The learned counsel for the petitioner submitted that the
petitioner is an innocent person and he has been falsely implicated
in this case.



4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that this case was registered only on 17.06.2021 and investigation is in preliminary stage. He further submitted that the petitioner is having five previous cases, in which, three cases are similar in nature. The details of the previous cases are as follows:

- a.Cr.No.283 of 2015 under Section 7(1)(a)(ii) EC Act.
- b.Cr.No.350 of 2013 under Section 7(1)(a)(ii) EC Act.
- c.Cr.No.344 of 2012 under Section 7(1)(a)(ii) EC Act.
- d.Cr.No.1329 of 2016 under Sections 294(b), 324 and 506(ii) IPC
- e.Cr.No.932 of 2014 under Section 74 TNPP Act.

5.Taking note of the facts and circumstances of the case where it is alleged that the rice meant for poor public was illegally transported and the fact that investigation is in preliminary stage and also the fact that the petitioner is having five previous cases, in which, three cases are similar in nature, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

Sd/-
22/06/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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 SUB INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8118 of 2021
Date : 22/06/2021