



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of February Two Thousand Twenty Two
PRESENT

WEB COPY

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.4572 of 2022

KANNAN @ CHINNAPPA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
INSPECTOR OF POLICE, CIVIL SUPPLY CID,
COIMBATORE, COIMBATORE DISTRICT.
(CRIME NO.21 OF 2022)

[RESPONDENT]

For Petitioner : M/S.W.CAMYLES GANDHI Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 6(4) Tamil Nadu Schedule Commodities (Regulation of Distribution Through Card System) Order 1982 r/w section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.21 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on secret information, the respondent police went to a godown in Jai Nagar and on search they found the possession of 3700 kg of PDS rice. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, the learned counsel further submits that without prejudice to his defence and contentions, the petitioner on his own volition, is willing to contribute a sum of Rs.25,000/- for the purpose of improving and maintaining the Government Schools. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that the property which was used



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

(g) 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;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. In the result, this Criminal Original Petition is ordered and the Chief Educational Officer shall submit the necessary proof with regard to the expenditure incurred for the improvement/rehabilitation of the Schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-sd/-

24/02/2022

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 JUDICIAL MAGISTRATE,
NO.IV, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
CIVIL SUPPLY CID, COIMBATORE,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.



5 THE CHIEF EDUCATIONAL OFFICER
COIMBATORE

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.2904

CRL OP.4572/2022

Date :24/02/2022

RVR 02/03/2022