



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6057 of 2022

VIVEK

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
POLLACHI CSCID POLICE STATION,
COIMBATORE DISTRICT.
(CRIME NO.53 OF 2022)

[RESPONDENT]

For Petitioner : M/S.R.DHAMODARAN 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 offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order 1982 and Section 7(1) (a)(ii) of Essential Commodities Act, 1955, in Crime No.53 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The food cell of the Civil Supplies Department has recovered 20,000 Kgs of PDS rice owned in the lorry bearing registration number TN 75 E 4053, which was stationed along the Aalankadavu Division, Meenkarai Road, Pollachi. The persons, who were found along with the vehicle were interrogated and they have disclosed their names and addresses and also informed that they occupied the PDS rice packed in 400 gunny bags each 50 kgs, to Kerala and the owner of the PDS rice is one Vivek son of Selvaraj of Kanniyakumari District, who used to collect the PDS rice from Ramnad, Madurai and Dindigul districts from the ration card holders and transport it to Kerala. They have also disclosed that the driver of the vehicle is one Munir who fled from the scene of occurrence on seeing the raiding team.



3. The learned counsel for the petitioner would submit that the petitioner is neither the owner of the vehicle nor the PDS rice, merely because of the statement given by the co-accused, he has been implicated in this case.

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4. The learned Government Advocate (Crl.Side) submits that the persons who were found in possession of PDS rice, has confessed about the source and they have disclosed the petitioner as a owner of the PDS rice and he used to collect the PDS rice from the ration card holders of Ramnad, Madurai and Dindigul districts and habitually used to transport it with the help of the other accused.

5. Considering the quantity of the contraband seized and the stage of the investigation, this Court is not inclined to grant anticipatory bail to the petitioners, since, the liberty of these petitioners will lead to destruction of evidence.

6. Accordingly, this Criminal Original petition is dismissed.

-sd/-

16/03/2022

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 INSPECTOR OF POLICE,
POLLACHI CSCID POLICE STATION,
COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.DHAMODARAN Advocate on payment of necessary charges

CRL OP.6057/2022

Date :16/03/2022

CSK 24/03/2022