



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

Date : 07/03/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.4214 of 2022

G.Manikandan

... Petitioner/Accused No.7

Vs

The State rep.by
The Deputy Superintendent of Police,
Thoothukudi Police Station,
CSCID Madurai.
(Cr.No.151 of 2021).

... Respondent/Complainant

For Petitioner : M/s.JEGADEESHAPANDIAN.V.M,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Crl.Side)

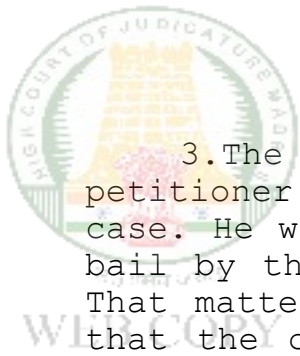
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No. 151 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A7 apprehending arrest at the hands of the respondent police for the offence punishable under Sections 2(e) (V) (Vi) (Vii) of Motor Spirit & High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) order, 1998 and Section 7(1) (a) (ii) of Essential Commodities Act, 1955, in Crime No.151 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 22.11.2021, the accused persons stored 30,000 litres of adulterated oil (oil like diesel) and transferred the same from one lorry to two other vehicles, which oil causes danger to the engine of the vehicles. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that A8 has been granted anticipatory bail by this Court in Crl.OP(MD)No.3486 of 2022, dated 21.02.2022. That matter was heard and disposed of by this Court on the ground that the co-accused have been granted either bail or anticipatory bail. Hence, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that this is the second anticipatory bail application. Earlier application has been dismissed by this Court, on 10.01.2022. The petitioner herein is arrayed as seventh accused. Co-accused has been granted anticipatory bail by this Court on 21.02.2022.

5.Considering the facts and circumstances of the case and also considering the fact that since the petitioner herein is standing on the same footing of A8, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate Court No.IV, Thoothukudi, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

07/03/2022

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/ /2022

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.IV,
THOOTHUKUDI.

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
THOOTHUKUDI POLICE STATION,
CSCID MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.4214 of 2022

Date :07/03/2022

SA/VR/SAR.3/11.03.2022/3P/5C