



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

Date : 22/07/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10227 of 2022

1.R.Duraiaraj
2.L.Stalin
3.U.Murugesan
4.V.Muruganantham

... Petitioners/Accused No.1 to 4

Vs

State Rep.by
The Inspector of Police,
CSCID-Unit, Viruthunagar,
Viruthunagar District.
Crime No.32 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Karunanidhi R, Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.32 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6(2), 6(3) and 6(4) of TNSC (RDSCS) order 1982 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.32 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that when the Rosalpatti and Soolakarai Civil Supply Warehouses were inspected by the Additional Registrar and Awareness Officer, he came to know that large scale of misconduct was made by the staff and load man in the said civil supplies warehouses and after that the defacto complainant, who is working as Regional Manager, has lodged a complaint against the petitioners.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the co-accused were already granted anticipatory bail by this Court, vide orders dated 03.03.2022 and 08.03.2022 in Cr1.O.P.(MD)Nos.4199 and 4440 of 2022.



4.The learned Additional Public Prosecutor appearing before the respondent police would submit that the petitioners are not having any previous cases.

5.Considering the nature of charges levelled against the petitioners and also the fact that the petitioners are not having any previous cases, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners shall deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) each** to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) and also deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) each** to the credit of Crime No.32 of 2022 before the learned Judicial Magistrate No.I, Virudhunagar, without prejudice to their rights and contentions and produce the receipt/acknowledgment before the trial Court.

7.On production of such receipt/acknowledgment, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



[f] If the accused thereafter absconds, a fresh FIF registered under Section 229-A IPC.

sd/-
22/07/2022

/ TRUE COPY /

WEB COPY

/08/2022

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.I, VIRUDHUNAGAR DISTRICT.
 - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE, CSCID-UNIT, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
 - 4 THE OFFICER INCHARGE, CHIEF MINISTER PUBLIC RELIEF FUND,
GOVERNMENT OF TAMILNADU, SECRETARIAT, CHENNAI-9.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/S.R.KARUNANIDHI, Advocate (SR-33467[F] Dated 25.07.2022)

ORDER
IN
CRL OP(MD) No.10227 of 2022
Date :22/07/2022

RS/PN/SAR.3 (01.08.2022) 3P-7C