



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9497 of 2022

Saravana Karuppasamy, ... Petitioner/Accused Rank Not known
Vs
The State rep. by
Inspector of Police,
Civil Supplies CID,
Madurai.
Cr.No.90/2022. ... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate.

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No. 90/2022 n 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 clause 6 (4) of TNSC (RDCS) Order, 1982, r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.90 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has transported 60 bags of boiled rice and 10 bags of wheat by using van bearing Reg. No.TN 95 D 0657. Hence, a case has been registered.

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 submitted that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioner 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 petitioner shall deposit a sum of Rs.10,000/- as non refundable deposit to the credit of DIST SIDDHA MEDICAL OFFICER CCRI PCK (A/c.No.10767823177, IFSC CODE: SBIN0000898, MICR CODE: 625002601, Branch: SBI Periyakulam).

(c)petitioner shall report before the respondent police on every wednesday at 10.30 a.m., until further orders.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]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]**.

sd/-

18/05/2022

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/ /2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE ,
MADURAI.

3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID, MADURAI.

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

COPY TO

THE OFFICER INCHARGE,
DISTRICT SIDDHA MEDICAL OFFICER,
CCRI PCK
PERIYAKULAM,
MADURAI DISTRICT.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4726[I] dated 19/05/2022)

ORDER

IN

CRL OP(MD) No.9497 of 2022

Date :18/05/2022

PKP/VR/SAR-4/23.05.2022/3P/7C