



WEB COPY



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

Dated: 30/06/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.9903 of 2022

1.Devandran
2.Ramalingam

... Petitioners/Accused
No.1 and 3

Vs.

State rep.by
The Inspector of Police,
C.S.C.I.D-Thanjavur,
Thanjavur District.
(Crime No.93 of 2022)

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian, Advocate

For Respondent : Mr.P.Kottai Samy
Government Advocate(Criminal side)

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

PRAYER :-

For Anticipatory Bail in Crime No.93 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A1 and A3 apprehending arrest the hands of the respondent police for the alleged offences punishable under sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and section 7(1)(a)(ii) of Essential Commodities Act, 1955, seeks anticipatory bail.

2.The case of the prosecution is that on a secret information, the police team was on surveillance near Vallam Muniandavar Temple, on search, a lorry bearing registration No.TN-28-AB-2829 was found loaded with PDS rice. On seeing the police party, three persons tried to escape from that place. Other two vehicles namely Mahindra



bearing registration Nos.TN-49-AR-8475 and TN-49-BL-8220 were also found containing PDS rice. Among three persons, two escaped from that place and one was arrested on the spot and he gave confession, implicating Devandran and Ramalingam. Based upon which, the case was registered.

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3. Seeking anticipatory bail, the petitioners, who are arrayed as A1 and A3 filed this petition. The learned counsel appearing for the petitioners would submit that except the confession statement of the co-accused, no other material is available to connect the petitioners to the occurrence. More-over, it is also his submission that on seeing the police party, two persons escaped from the place of occurrence is highly unbelievable. Among three persons, one was arrested and later released on bail.

4. It is the contention on the part of the prosecution that the A1 is the kingpin for the above said offence and he only arranged the other two vehicles for the purpose of transporting PDS rice with the help of the other accused persons.

5. No doubt that this sort of offence is an offence against the poor man's economy. Because PDS rice is intended for public distribution to the poor people. When this commodity, which intended for the poor people is illegally transported, the ultimate sufferer will be the poor people. This sort of offence cannot be lightly taken for granting anticipatory bail.

6. At this juncture, the learned counsel appearing for the petitioner seeks permission of this court to withdraw this petition in respect of the first petitioner/A1. Accordingly, this petition is **dismissed as withdrawn** in respect of the first petitioner/A1.

7. Considering factual situation, whether the accused persons are involved in the above said occurrence is a matter for subjecting them to custodial interrogation. So, the second petitioner/A3 is not entitled for anticipatory bail and accordingly, this petition is **dismissed** in respect of the second petitioner/A3.

Sd/-
30/06/2022

/ TRUE COPY /

/07/2022

Sub-Assistant Registrar (C.S.II)
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.

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To

1. THE INSPECTOR OF POLICE,
C.S.C.I.D- THANJAVUR,
THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.9903 of 2022
Date : 30/06/2022

SP/SVR/SAR II/04/07/2022/3P/3C