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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2022

PRESENT

The Hon`ble Mr.Justice **G.ILANGOVAN**

CRL OP(MD). No.12386 of 2022

Keerthivasan ... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Civil Supplies CID, Trichy
(Crime No. 152 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Lenin Kumar.T,

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.152 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDSCS) Order 1982 r/w 7(1) (a)(ii) of Essential Commodities Act, in Crime No.152 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 23.06.2022, the respondent Police along with other Civil Supplies officials conducted inspection in the place of occurrence and found 150 bags of rice, each weighing 40 kgs. On enquiry, it reveals the fact that the petitioner collected ration rice from the card holders for low price and supplied the same for the purpose of grinding flour. Hence, the complaint.

3.The learned Government Advocate (Crl. Side) for the respondent police submitted that though the petitioner is not having any previous cases at his credit, the cost of PDS rice, ie., Rs.39.00/- shall be deposited.

<https://www.hcma.gov.in/>



4.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. Further to show his *bona fide*, the petitioner has come forward to pay a sum of Rs.33,900/- (Rupees Thirty Three Thousand and Nine Hundred Only) to the credit of Cr.No.259 of 2022 before the trial Court concerned.

5.Considering the nature of offence, that the petitioner is not having any bad antecedents and the readiness of the petitioner to deposit the cost of rice, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.33,900/- (Rupees Thirty Three Thousand and Nine Hundred Only) to the credit of Cr.No.152 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.IV, Trichy 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.

8.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/-

11/07/2022

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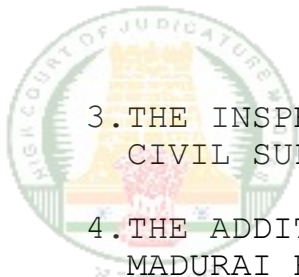
/07/2022

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

TO

1.THE JUDICIAL MAGISTRATE NO.IV,
TRICHY.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.



3. THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID, TRICHY

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

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+1. CC to M/S. LENIN KUMAR.T Advocate SR.No.6909

ORDER

IN

CRL OP(MD) No.12386 of 2022

Date :11/07/2022

RK/SVR/SAR-I/(15/07/2022) 3P/6C