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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13288 of 2022

P.Ilayaraja

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
CSCID, Madurai,
Madurai District.
Crime.No.130/2022.

... Respondent/Complainant

For Petitioner : Mr.S.Ramasamy, Advocate

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.130 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(2), 6(3) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.130 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.01.2022, the Joint Registrar of Co-operative, Madurai had a surprise check in the shop of the petitioner, where he was working as a Salesman and found deficit in stock of commodities to the tune of Rs.36,988.40/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is the salesman of the shop and admitting his liability he remitted the alleged amount on two occasions, ie., on 08.02.2022 and 16.02.2022. Hence, prays to release him on anticipatory bail.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that the accused person had already deposited the alleged amount and now the petitioner is under suspension. He further submitted that there is no previous case pending against the petitioner herein.

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5. Considering the nature of the offence, that the petitioner is not having any bad antecedents and the petitioner admitting his guilty, already deposited the alleged amount, 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, before the learned Judicial Magistrate No.III, Madurai, 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/-
25/07/2022

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/08/2022
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
CSCID, MADURAI, MADURAI DISTRICT.

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

+1 CC to M/s.S.RAMASAMY, Advocate (SR-7610[I] dated 25/07/2022)

ORDER

IN

CRL OP(MD) No.13288 of 2022

Date :25/07/2022