



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

Date : 25/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13374 of 2022

1. Palselvaraj @ Selvam
2. S.Punitha
3. Manikandan @ Balamani

... Petitioners/Accused 1 to 3

Vs

The State Rep. By,
The Inspector of Police,
CSCID, Dindigul.
(Crime No.128 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Venkatesh.D,
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. 128 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.128 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.07.2022 on secret information, the respondent police has conducted vehicle check up. At that time, a van bearing registration No.TN 09 CS 8244 was intercepted and they found 1500 kgs of PDS rice in 40 rice bags, worth about Rs.8,475/-. On enquiry they found that the accused No.2 and 3 purchased PDS rice from the cardholders and sold it to the first accused. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. However, to show their *bona fide*, the petitioners have come forward to pay a sum of Rs.8,475/- (Rupees Eight Thousand Four Hundred and Seventy Five only) to the credit of Cr.No.128 of 2022 before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the accused persons had possessed PDS rice. He further submitted that there is no previous case pending against the petitioners herein.

5. Considering the nature of the offence, that the petitioners are not having any bad antecedents and their willingness to pay a sum of Rs.8,475/- (Rupees Eight Thousand Four Hundred and Seventy Five only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.8,475/- (Rupees Eight Thousand Four Hundred and Seventy Five only) to the credit of Cr.No.128 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 petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.III, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.III,
DINDIGUL.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE,
CSCID, DINDIGUL.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-7650[I] dated 26/07/2022)

ORDER

IN

CRL OP(MD) No.13374 of 2022

Date :25/07/2022

pnm

USK/VR/SAR-I/29.07.2022/3P/6C