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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14382 of 2022

Wilson
... Petitioner/Accused No.7

Vs

State Rep by
The Sub Inspector of Police,
Tirunelveli Police Station,
CSCID-Madurai,(Crime No.56/2022)..
... Respondent/Complainant

For Petitioner : M/s.Jegadeeshpandian V M,

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.56/2022 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 TNSC (RDCS) Order 1982 and 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.56 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.02.2022, on interception of vehicles by the respondent Police, the accused persons were found in possession of 13000kgs of PDS rice. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that the petitioner is the driver of the vehicle and he is an innocent and falsely implicated in this case. The co-accused were already released on bail.

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 petitioner herein.

5. Considering the nature of the offence, that the petitioner is not having any bad antecedents and the co-accused were already enlarged on bail, 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.II, Tirunelveli, 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/-
11/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. The Judicial Magistrate No.II, Tirunelveli

2. Do Through The Chief Judicial Magistrate,
   Tirunelveli.

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3. The Sub Inspector of Police,
   Tirunelveli Police Station,
   CSCID-Madurai.

4. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.JEGADEESHAPANDIAN V.M., Advocate (SR-8423[I] dated 11/08/2022)

ORDER
IN
CRL OP(MD) No.14382 of 2022
Date : 11/08/2022

TR/JM/SAR-I(17.08.2022) 3P 6C

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