



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14496 of 2022

Sundarapandi

... Petitioner/1st Accused

Vs

The State rep.by,
The Inspector of Police,
Civil Supplies C.I.D.,
Madurai District.
Crime No.156 of 2022.

... Respondent/Complainant

For Petitioner : MR.T.Lenin Kumar,
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.156 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends 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 and r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.156 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other persons had illegally transported 2000 Kgs of PDS Rice. Hence the complaint.

3.Learned Counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution, but, a false case has been foisted against him. However, to show his **bona fide**, the petitioner has come forward to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.156 of 2022 before the trial Court concerned.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that the petitioner said to have illegally transported 2000 Kgs of PDS rice, without any permission. He further submitted that no previous case pending against the petitioner herein.

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5. Considering the nature of the mineral involved, the antecedents **of the petitioner and his willingness to pay a sum of Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Crime Number, 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.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.156 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.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. The petitioner shall appear before the respondent police once in a month i.e., on first Monday of every English Calender Month 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/-

12/08/2022

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Sub-Assistant Registrar (C.S.)
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.



TO

1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D., MADURAI DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-8518[I] dated 16/08/2022)

ORDER

IN

CRL OP(MD) No.14496 of 2022

Date :12/08/2022

TTA

MK/PN/SAR.IV/24.08.2022/3P/6C