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

Date : 29/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15572 of 2022

Mareeswaran

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Civil Supplies C.I.D.,
Sivagangai District.
(Crime No.37 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar T, 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.37 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 TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.37 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.03.2022 the complainant along with his team were on the vehicle check-up. At that time, a TATA pickup bearing registration No.TN 55 S 6454 was intercepted and they found PDS rice in 53 rice bags, worth about RS.61,000/- . Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle and he is an innocent and falsely implicated in this case. This petitioner has purchased PDS rice from the cardholders and sold the same for higher prices. However, to show his *bona fide*, the petitioner has come forward to pay a sum of Rs.61,000/- (Rupees Sixty One Thousand only) to the credit of Cr.No.37 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 petitioner herein.

5. Considering the nature of the offence, that the petitioner is not having any bad antecedents and his willingness to pay a sum of Rs.61,000/- (Rupees Sixty One 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.61,000/- (Rupees Sixty One Thousand only) to the credit of Cr.No.37 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.I, Sivagangai, 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/-
29/08/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D.,
SIVAGANGAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.LENIN KUMAR T Advocate SR.No.9297

ORDER
IN
CRL OP(MD) No.15572 of 2022
Date :29/08/2022

SP/SVR/SAR II/07/09/2022/3P/6C