



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15582 of 2022

Vishnu Murugan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Civil Supplies CID, Sivagangai
(Crime No. 90 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar.T,

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

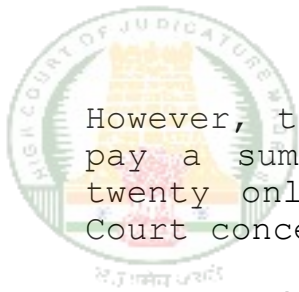
For Anticipatory Bail in Crime No.90 of 2022 on the file of the Respondent police.

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.90 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.07.2022 the complainant along with his team were on the vehicle checkup and checking. At that time, a Mahindra Bolero pickup bearing registration No.TN 51 AX 0670 was intercepted and they found PDS rice in 16 rice bags, worth about Rs.4,520/-. 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 government and sold the same for higher prices.



However, to show his *bona fide*, the petitioner has come forward to pay a sum of Rs.4,520/- (Rupees Four Thousand Five Hundred and twenty only) to the credit of Cr.No.90 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.4,520/- (Rupees Four Thousand Five Hundred and twenty 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.4,520/- (Rupees Four Thousand Five Hundred and twenty only) to the credit of Cr.No.90 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 /

07/09/2022

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

PNM

TO

1. THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://www.mhjcivilians.org>



3.THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID, SIVAGANGAI

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

+1. CC to M/S.LENIN KUMAR.T Advocate SR.No.9296

ORDER

IN

CRL OP(MD) No.15582 of 2022

Date :29/08/2022

RK/VR/SAR-II(07/09/2022) 3P/6C