



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

Dated: 04/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP (MD)No.20467 of 2021

ANAS

: PETITIONER/RANK NOT KNOWN

VS.

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
CSCID,
THOOTHUKUDI POLICE STATION,
(CRIME NO.19 OF 2021).

: RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.Selvakumaran, Advocate
For Respondent : Mr.SS.Madhavan,
Government Advocate (Criminal side)

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

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is apprehending arrest at the hands of the respondent police for the offences punishable under section 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 r/w section 7(1) (a)(ii) of Essential Commodities Act, 1955, in Crime No.19 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 06/02/2021 at about 21.30 hours, when the civil supplies CID Police team were on routine check up, they found the accused persons transported 350 plastic bags of ration rice without permission. On the spot itself, the vehicle as well as the rice has been seized. Based upon which, the case has been registered for the offence under sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 r/w section 7(1) (a)(ii) of Essential Commodities Act, 1955.

3.Now this petition has been filed on the ground that the petitioner name is not mentioned in the FIR and only on the basis of the confession of A1, this petitioner's name has been included in the FIR.



4. Reading of the confession statement of the co-accused namely A1 shows that this petitioner name has been included as if he was the main person at whose instance, transported the PDS rice. It is also seen that the petitioner is the main person, who used to purchase the PDS rice from various parts of the State illegally and sell the same. Even though the petitioner's name has been included only on the basis of the confession statement of A1, considering the fact that PDS rice is used by the poor people and the said offence will amount to the offence against the poor man's economy, this court is not inclined to exercise the discretionary power of anticipatory bail in favour of this petitioner.

5. Accordingly, this criminal original petition is **dismissed**.

sd/-
04/01/2022

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/ /2022
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 INSPECTOR OF POLICE,
CSCID, THOOTHUKUDI POLICE STATION,
THOOTHUKUDI.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20467 of 2021
Date : 04/01/2022

USK/VR/SAR-I/11.01.2022/2P/3C