



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.02.2023
PRESENT
THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.2912 of 2023

WEB COPY

Balamurugan

...Petitioner/Rank not Known

-vs-

The State represented by
The Inspector of Police,
CSCID, Madurai,
Ramanathapuram Police Station,
Ramanathapuram District.
(in Cr.No.10 of 2023)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.10 of 2023.

For Petitioner	: Mr.K.Arunraj
For Respondent	: Mr.K.Sanjai Gandhi Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Clause 6(4) of Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order, 1982 and Section 7(1)(a)(ii) of Essential Commodities Act IPC in Crime No.10 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that the accused persons have illegally transported 4750 kgs of PDS Rice worth of Rs.26,838/-. Hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case based on the confession of the arrested accused. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner and other accused were illegally transported 4750 kgs of PDS rice worth of Rs.26838/-. He would also submit that the



petitioner is a habitual offender and against whom, there are six previous cases in similar nature pending and hence, he would strongly oppose to grant anticipatory bail to the petitioner.

5. Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioner has six previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
20/02/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
CSCID, MADURAI,
RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1CC to M/s.D.Senthil, Advocate (SR NO.9435)

ORDER
IN
CRL OP (MD) No.2912 of 2023
Date : 20/02/2023

MGJ/MMS/SAR I/27/02/2023/2P/4C