



WEB COPY

CRL OP(MD).



23

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

Date : 10/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.4582 of 2023

S.Sankar

... Petitioner/
Accused Rank Not Known

Vs

The State represented by
The Inspector of Police,
CSCID Tirunelveli Police Station,
Tirunelveli District.
Crime No.13 of 2023.

... Respondent/Complainant

For Petitioner : Mr.K.Muthurakkan
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2023 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of
the respondent police for the offences punishable under Section 6(4)
of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of EC Act, 1955 in Crime
No.13 of 2023 on the file of the respondent police, seeks
anticipatory bail.

2.The case of the prosecution is that the de-facto complainant
and his party have seized 800 kgs of PDS rice. The accused had
collected the PDS rice and sold the same in black market illegally.
Hence, the case.



3. Heard. Perused the materials available on record the First Information Report.

4. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been granted anticipatory bail by this Court, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate No.II, Tirunelveli.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Tirunelveli, 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 on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/03/2023

WEB COPY

/ TRUE COPY /

/03/2023

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

VSD

TO

1. JUDICIAL MAGISTRATE NO.II, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
CSCID TIRUNELVELI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER IN CHARGE,
GOVERNMENT OF TAMIL NADU,
CMPRF IN IOB,
SECRETARIAT BRANCH,
CHENNAI-9

+1 CC to M/s.K. MUTHURAKKAN, Advocate (SR-3942[I] dated
10/03/2023)

ORDER
IN
CRL OP(MD) No.4582 of 2023
Date :10/03/2023

RK/MMS/SAR-3(20/03/2023) 3P/7C