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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/04/2023

PRESENT

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

CRL OP(MD) . No.7261 of 2023

Seenivasan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
Crime No.112 of 2022.

... Respondent/Complainant

For Petitioner : M/s.A.Murugan,
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.112 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of I.P.C r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1995 and Section 23 of Fertilizer Control Order, 1985 in Crime No.112 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was sale 160 gunny bags (each bags containing 50kgs) of Natural Fertilizer to the 12 agriculture peoples of Kasawankundru Village, Eratchipanchayat, Kovilpatti Taluk, Thoothukudi District for door delivery. Hence, the Agriculture Department Officer enquired the same and the above Natural Fertilizer is red soil. Thereby, a case has been registered against the petitioner.



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

4. It is seen that the Assistant Director of Quality Control Department lodged a complaint alleging that the petitioner, who is the supplier of Natural Fertilizer to the farmers. However, he supplied red soil instead of natural fertilizer and cheated four farmers and also he failed to obtain any quality certificate from the authorities concerned and therefore, he committed very serious offence. Thereby, the custodial interrogation of the petitioner is very much necessary in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

sd/-

20/04/2023

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/04/2023

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

SJI

TO

1. The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP (MD) No.7261 of 2023

Date : 20/04/2023

SS/MMS/SAR I/27/04/2023/2P/3C