



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.06.2023

PRESENT

WEB COPY

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

CRL OP(MD). No.12036 of 2023

P.Jeganathan ... Petitioner/Accused No.1

Vs

The Sub-Inspector of Police,
CSCID, Karur,
Karur District.
(Crime No.68 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.Gokul Raj

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.68 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TN Scheduled Commodities (RDCS) Order, 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.68 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.06.2023, on secret information, the respondent police undergone vehicle checkup, at that time, they seized 1500 kgs of ration rice in the house of the other accused persons and the house situated in the agricultural field belonging to the petitioner. Hence, the complaint.

3. Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.



4.Considering the facts and circumstances of the case, the Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Karur, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 make a non refundable deposit for a sum of **Rs.50,000/- (Rupees Fifty thousand only) each 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 concerned Court while executing sureties.

(c)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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]**; and;

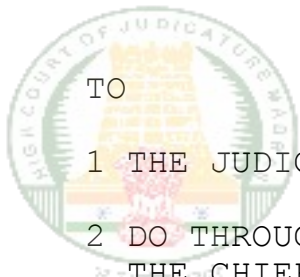
(g)if the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
30/06/2023

/ TRUE COPY /

/07/2023

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



TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR.

2 DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

WEB COPY

3 The Sub-Inspector of Police,
CSCID, Karur,
Karur District.

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

COPY TO

THE OFFICER IN CHARGE,
CHIEF MINISTER'S PUBLIC RELIEF FUND,
INDIAN OVERSEAS BANK,
SECRETARIAT BRANCH,
CHENNAI-600 009.

+1. CC to M/S.S.GOKUL RAJ Advocate SR.No.10077

ORDER

IN

CRL OP (MD) No.12036 of 2023
Date :30/06/2023

MGJ(07.07.2023) 3P 7C