



CRL OP(MD). No.14112 of 2023

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

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14112 of 2023

K.Pandi

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Tirunelveli Police Station,
CSCID Unit,
Madurai.
(Crime No.183 of 2022)

... Respondent / Complainant

For Petitioner : M/s.Susi Kumar. C, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.183/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for

the alleged offence punishable under Sections 6(4) of Tamil Nadu Scheduled

<https://www.mhc.tn.gov.in/judis>



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Commodities (RDCS) Order, 1982 and r/w Section 7(1)(a)(ii) of Essential
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Commodities Act, 1955 in Crime No.183 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other persons had illegally transported 2000 Kgs of PDS Rice, 35 Kgs of Wheat and 35 Kgs of spilt pigeon peas. Hence the complaint.

3.Learned Counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution, but, a false case has been foisted as against him. However, to show his bona fide, the petitioner has come forward to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.183 of 2023.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner said to have illegally transported 2000 Kgs of PDS Rice, 35 Kgs of Wheat and 35 Kgs of spilt pigeon peas, without any permission. He further submitted that no previous case is pending against the petitioner herein and also submitted that the departmental proceedings have been initiated against the petitioner.

5. Considering the nature of the mineral involved, and his willingness to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed on condition that

(i) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Account Number (A/c.No.7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040) opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of "Madurai Bench of Madras High Court" in Kalaingar Centenary Library, Madurai, without prejudice to his rights and contentions before the trial Court.

ii) further, the petitioner shall deposit a sum of Rs. 10,000/- (Rupees Ten Thousand only) to the credit of Crime No.183 of 2023 before the learned Judicial Magistrate No.II, Tirunelveli.

7. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period



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of 15 days from the date on which the order copy made ready, failing which, the

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petition for anticipatory bail stands dismissed.

sd/-
02/08/2023

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/08/2023

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

TTA

To

1.The Judicial Magistrate No.II,
Tirunelveli.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Tirunelveli Police Station,
CSCID Unit,
Madurai.

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

Copy to:

1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The Officer Incharge,
Kalaingar Centenary Library, Madurai.



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+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-11778[I] dated 03/08/2023)

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ORDER

IN

CRL OP(MD) No.14112 of 2023

Date :02/08/2023

ED/BUC/SAR- (24/08/2023) 5P / 8C

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