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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16079 of 2023

Sheick Moideen @ Sheick Mohamed

... Petitioner/ Accused No.4

Vs

The State, represented by
The Inspector of Police,
Tirunelveli Police Station,
CSCID Unit, Madurai.
(Crime No.213 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.Susi Kumar,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.213 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.4, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 6(4) of the Tamil Nadu Scheduled Commodities (Regulation of Distribution by Call System) Order, 1982, r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.213 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on receipt of secret information, the defacto complainant involved in vehicle checkup at Senkottai to Pulanoor road, wherein they interecepted a vehicle bearing Registration No.KL 05 AK 0232. During the enquiry, they came to know that the first accused had transported the 40 bags, which contains 8000 kgs of PDS rice illegally. On the basis of the confession statement of the first accused, this petitioner has been implicated. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected in this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the PDS rice, which was transported illegally by the petitioner is worth about Rs.45,200/- and there is no previous case is pending against the petitioner.

5. Considering the fact and circumstance of this case and considering that no previous case is pending against the petitioner, 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 the petitioner shall deposit a sum of Rs.45,200/- (Rupees Forty Five Thousand and Two Hundred only) to the credit of Cr.No.213 of 2023 before the trial Court concerned. Further, the petitioner shall deposit a sum of **Rs.25,000/- (Rupees Twenty 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.**

7. On such deposit being made, 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.



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8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
05/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 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.



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WB C THE OFFICER INCHARGE,
KALAI GNAR CENTENARY LIBRARY,
MADURAI.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-13347[I] dated 07/09/2023)

ORDER
IN
CRL OP(MD) No.16079 of 2023
Date :05/09/2023

SS/VR/14/09/2023/5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023