



CRL OP(MD) No.16438 of 2023

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

Tuesday, the Twelfth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) No.16438 of 2023

1 BALA MANIKANDAN
2 MANI BARATHI

... PETITIONERS/ ACCUSED NO.1 & 3

Vs

State Rep.by
THE INSPECTOR OF POLICE
VIRUDHUNAGAR POLICE STATION,
CSCID-MADURAI.
CRIME NO.123 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.ALTHAF SHERIFF, Advocate
for M/S.AJMAL ASSOCIATES
For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CR.NO.123 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/Accused No.1 & 3, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections 6(4) of TN
Scheduled Commodities (RDCS) Order and Section 7(1)(a)(ii) of Essential
Commodities Act, 1955, in Crime No.123 of 2023 on the file of the respondent police,
seek anticipatory bail.



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2.The case of the prosecution is that on secret information the defacto complainant parties went the spot of occurrence and found 275 bags of rice, each contains 50 kgs. of PDS Rice, (Totally 13750 kilograms) and recovered from the fifth accused in the presence of the Village Administrative Officer. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that 13750 kilograms of PDS rice worth about Rs.77,680/- have been recovered from the accused persons.

5.Considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners on payment of cost.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.7,000/- (Rupees Seven 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 Kalaignar Centenary Library, Madurai, and also deposit further amount of Rs.70,680/- (Rupees Seventy Thousand Six Hundred and Eighty only) to the credit of Crime NO.123 of 2023



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before the trial Court, without prejudice to his rights and contentions before the trial Court.

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7.On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners 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/-
12/09/2023
/ TRUE COPY /

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

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TO

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1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, VIRUDHUNAGAR POLICE STATION,
CSCID-MADURAI.

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

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+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.42742[F]

ORDER

IN

CRL OP(MD) No.16438 of 2023

Date :12/09/2023

RS/GB/SAR-(27.09.2023) 4P 8C

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