



CRL OP(MD) No.64 of 2024

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.64 of 2024

SAKKARAIPANDIYAN

... PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D,
MADURAI.
(CRIME NO.231/2023).

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KALYANI J Advocate

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

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.231/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Clause 6(4) of TNSC

(RDCA) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime

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



CRL OP(MD) No.64 of 2024

No.231 of 2023 on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner has illegally transported 24 bags of PDS rice (each contains 40 kgs). Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, he would further submit that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the E.V.R.Nagammaiyyar Girls Higher Secondary School, South Veli Street, Madurai.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is undertaking to construct a toilet to the E.V.R.Nagammaiyyar Girls Higher Secondary School, South Veli Street, Madurai, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Madurai, 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



CRL OP(MD) No.64 of 2024

WEB COPY

sum to the satisfaction of the respondent police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner is directed to pay a sum of Rs.5,000/- to the E.V.R.Nagammaiyyar Girls Higher Secondary School, South Veli Street, Madurai, by way of Demand Draft and an appropriate proof shall be sent to the concerned learned Judicial Magistrate by the Headmistress of the said School and thereafter, sureties shall be accepted.

(b).if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(c).the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)the petitioner shall report before the respondent police as and when required for interrogation;

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

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



CRL OP(MD) No.64 of 2024

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(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

sd/-
04/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO
1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D,
MADURAI.

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



CRL OP(MD) No.64 of 2024

COPY TO:

THE HEAD MISTRESS,
E.V.R.NAGAMMAIYAR GIRLS HIGHER SECONDARY SCHOOL,
SOUTH VELI STREET, MADURAI,

+1 CC to M/s.J.KALYANI, Advocate (SR-252[I] dated 05/01/2024)

ORDER
IN
CRL OP(MD) No.64 of 2024
Date :04/01/2024

SA/DD/SAR. /12.01.2024/5P/7C

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