



CRL OP(MD) No.1311 of 2024

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

Tuesday, the Thirtieth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 SAKTHIVEL

2 THANGARAJ

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE INSPECTOR OF POLICE
KARUR CSCID POLICE STATION,
KARUR.

CRIME NO.7/2024

... RESPONDENT/COMPLAINANT

For Petitioners : MR.J.MADHU Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.7/2024 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 and 2, who apprehend arrest at the hands of



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the respondent police for the alleged offence under Sections 6(4) of TNSC (RDCS) order 1982 r/w 7(i)(a)(ii) of Essential Commodities Act, 1955, in Crime No.7 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found with illegal possession of 400 Kgs of PDS rice. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, on instructions, he further submitted that the petitioners, are ready to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) jointly, to the credit of Sakthi Vidiyal Home, Muthupatti, Madurai-625 003, Account No.3811000301886, to show their bona-fide. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners were found in illegal possession of 400 Kgs of PDS rice and also submitted that some previous cases are pending against the petitioners. Hence, he strongly opposed to grant anticipatory bail to the petitioners.



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5.Considering the facts and circumstances of the case and the allegation levelled against the petitioners and also considering the antecedents of the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, 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 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) if the petitioners 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;

(b) The petitioners shall make a non-refundable deposit of Rs.50,000/- (Rupees fifty Thousand only) by way of Demand Draft/RTGS/NEFT to the credit of "Sakthi Vidiyal Home, Muthupatti, Madurai-625 003, Account No.3811000301886", without



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prejudice to their defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/receipt/acknowledgement, shall accept the sureties furnished by the petitioners;

(c) the sureties shall affix his 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation;

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

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

(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;



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

sd/-
30/01/2024

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/02/2024

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

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TO

1.THE JUDICIAL MAGISTRATE NO.I, KARUR,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3.THE INSPECTOR OF POLICE
KARUR CSCID POLICE STATION, KARUR.

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

COPY TO
THE OFFICER IN CHARGE,
SAKTHI VIDYAL HOME, MUTHUPATTI, MADURAI-625 003,

+1 CC to M/s.J.MADHU, Advocate (SR-1121[I] dated 30/01/2024)

ORDER
IN

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Date :30/01/2024

RK/VR (06/02/2024) 5P / 7C

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

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