



CRL OP(MD)No.7113 of 2024

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

Date : 15.05.2024

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI  
CRL OP(MD)No.7113 of 2024

Ramesh @ Rameshkumar

... Petitioner/3<sup>rd</sup> Accused

Vs

The Inspector of Police,  
Civil Supplies C.I.D,  
Madurai.  
(Crime No.101 of 2024).

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate  
For Respondent : Mr.P.Kottaichamy,  
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.101 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/3<sup>rd</sup> Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Clause 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.101 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.04.2024, the petitioner has illegally transported 42 bags of PDS rice. Hence, the complaint.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the properties have been recovered and the other accused were already released on bail by this Court and no previous case is pending against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the facts that the properties have been recovered, no previous case is pending against the petitioner and the other accused were already released on bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar



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card or bank pass book to ensure their identity.

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[b]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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/05/2024

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

gbg



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TO

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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.

+1 CC to M/s.LENIN KUMAR.T, Advocate ( SR-5450[I] dated 16/05/2024 )

ORDER  
IN

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Date :15/05/2024

RS/GS/SAR-(21.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing  
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