



No.12, Sowrastra School Street,

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.7836 and 7837 of 2024

Senthilkumar @ CD Senthil

... Petitioner/ Accused-4
in Crl.O.P.(MD)No.7836 of 2024

Kanna @ Cool Kannan

... Petitioner/ Accused-3
in Crl.O.P.(MD)No.7837 of 2024

Vs

The Inspector of Police,
Civil Supplies C.I.D,
Virudhunagar.
(Crime No. 89 of 2024).

... Respondent/Complainant
in both petitions

For Petitioner
(in Crl.O.P.(MD)No.7836 of 2024)

: Mr.T.Lenin Kumar,
Advocate.

For Petitioner
(in Crl.O.P.(MD)No.7837 of 2024)

: Mr.T.Dhandapani,
Advocate.

For Respondent
(in both petitions)

: Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No. 89 of 2024 on the file of the respondent

police

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



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COMMON ORDER : The Court made the following order :-

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The petitioners apprehending arrest at the hands of the respondent police in connection with Crime No.89 of 2024 for the offence under Clause 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioners have transported 40 bags of rice (each contains 40kgs) in a Bolero Pickup Vehicle bearing Reg.No.TN 59 AF 7798. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police opposes for grant of anticipatory bail on the ground that the petitioners are having one previous case of similar in nature.

5.At this juncture, the learned for the petitioner submits that the petitioners, to show their bona fides, are ready and willing to file an undertaking affidavit before the concerned police station that they will not indulge in any offence in future. Further, the petitioners have also paid a sum of Rs.1,00,000/- before the Chief Educational Officer, Virudhunagar District.



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6. Considering the nature of offence and also considering the change of attitude of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this criminal original petition is allowed and the petitioners 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, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

- i. The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioners shall file an undertaking affidavit before the respondent police that they will not indulge in any such offence in future. Further, the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required. They have to co-operate for the investigation;
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution



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witnesses. The petitioners shall be available for the trial as well.

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iv. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
14/06/2024

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/06/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.

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

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

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

COPY TO

THE CHIEF EDUCATIONAL OFFICER, VIRUDHUNAGAR DISTRICT.

+2 CC to M/s.T.LENINKUMAR, Advocate (SR-6639[I] & SR-6642[I] dated
19/06/2024)



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ORDER
IN

CRL OP(MD). Nos.7836 and 7837 of 2024

Date :14/06/2024

RS/JGB/SAR-(25.06.2024) 5P 8C

Madurai Bench of Madras High Court is issuing
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