



CRL OP(MD). No.7866 of 2024

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

Date : 29.05.2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI
CRL OP(MD). No.7866 of 2024

1.Seenipandian

2.Thavudan @ Stepan @ Stepanraj

... Petitioners/ Accused Nos.1 and 3

Vs

The Inspector of Police,
CSCID- Virudhunagar,
Madurai Wing,
(Crime No.81 of 2024)

... Respondent/Complainant

For Petitioners : M/s.S.Prabha, Advocate.

For Respondent : Mrs.M.Aasha, Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.81 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1962 read with 7(1) a (ii) of Essential Commodities Act, 1955 in Crime No.81 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on secret information on 08.05.2024 at
<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.7866 of 2024

about 12.00 hours, when the police team stopped the vehicles of the accused Nos.1 and 3, they found illegal transportation of PDS rice to one Seenipandi. Hence the case.

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 on the basis of the confession given by the accused No.1, these petitioners have been implicated in this case. Accused Nos.1 and 2 were already arrested.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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.1, Virudhunagar, 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 sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb



CRL OP(MD). No.7866 of 2024

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impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 11.00 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

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

[d]the petitioners 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 petitioners 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/-
29/05/2024

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

pnn

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CRL OP(MD). No.7866 of 2024

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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, CSCID-VIRUDHUNAGAR,
MADURAI WING, MADURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.7866 of 2024

Date :29/05/2024

RS/VR/SAR-(04.06.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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