



CRL OP(MD). No.8177 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8177 of 2024

Karthikeyan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kuzhithurai Police Station,
CSCID - Madurai.
(In Crime No.84/2024).

... Respondent/Complainant

For Petitioner : Mr.S.Vikram,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime no.84 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.84 of 2024 for the offence under Section 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of Essential Commodities Act, 1955, has filed this petition, seeking anticipatory bail.



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2. The case of the prosecution is that on 07.05.2024, at about 12.00 hours, when the defacto complainant along with his police parties were on patrol nearby Kinatrumukku Ladies Hostel, they intercepted a Ashok Leyland Lorry bearing Registration No.KL-57-N-0877. On inspection, they found 10700 Kgs of Government rice in 214 plastic bags to be distributed in ration shops worth about Rs.60,455/-. On enquiry, the accused persons have stated that they obtained the above rice in a low cost and stored the same in a godown. Thereafter, the police officials seized the rice and the vehicle.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner participated in a public auction and was selected as the successful bidder. Therefore, he got the rice and he is having a valid receipt for transporting the rice. But, the respondent police has seized the lorry and also foisted a false case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that as per the investigation, it reveals that one Babykumar was permitted to

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transport the PDS rice, in the auction conducted on 10.11.2023 at Amaravilai, NSFA godown and he was permitted to transport the same in vehicle No.KL-57-N-0877 only from 13.11.2023 to 15.11.2023. The present occurrence took place on 07.05.2024 and with the same vehicle by using the same permit issued in the month of November-2023. The respondent police has seized the vehicle and arrested one of accused. The petitioner is the owner of the vehicle.

5. Though the learned counsel for the petitioner has produced the proceedings of the Taluk Supply officer, Neyyattinkarai Taluk, dated 14.11.2023, there is a specific condition in this permit to transport the auctioned goods on 15.11.2023. It appears that the petitioner with the help of this permit dated 14.11.2023, has illegally transported several bags of PDS rice. Therefore, the custodial interrogation is very much necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/06/2024

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/06/2024

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

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TO

1. The Inspector of Police,
Kuzhithurai Police Station, CSCID-Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date :12/06/2024

RK/JGB (28/06/2024) 4P / 3C

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