



CRL OP(MD).No.9240 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Dharmalingam

... Petitioner/ Accused No.2

Versus

The State rep. by
The Inspector of Police,
Civil Supplies C.I.D.,
Virudhunagar.
(Crime No.99 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Ramnath
Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.99 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



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connection with a case in Crime No.99 of 2024, for the offence under Clause 6(4) of TNSC (RDCS) Order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 40 bags of PDS rice (each bag contains 33 kgs.)

3. The learned counsel appearing for the petitioner submits that on his advice, the petitioner has contributed a sum of Rs.52,800/- (Rupees fifty two thousand eight hundred only) to the credit of the Chief Educational Officer, Virudhunagar District, for the purpose of providing any amenities, like, drinking water facility, toilet facility or smart class room, to any one of the Government Schools in Thanjavur District. He further submits that the petitioner is also prepared to file an undertaking affidavit that he will not indulge in any other offence in future, before the respondent Police. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the investigation is yet to be completed. .



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

6. Accordingly, this Criminal Original Petition is ordered and 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 on condition that

(i) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar.

(ii) The petitioner 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;

(iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall file an undertaking affidavit that he will not indulge in any other offence in future, before the respondent Police.



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(v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
26/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.I
VIRUDHUNAGAR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID
VIRUDHUNAGAR
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.T.LENINKUMAR, Advocate (SR-7078[I] dated 27/06/2024)



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ORDER
IN
CRL OP(MD) No.9240 of 2024
Date :26/06/2024

SS/GS/SAR- /02/07/2024/5P/6C

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