



CRL OP(MD). No.10828 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.10828 of 2024

Pandiyarajan,

... Petitioner/2nd Accused

Vs

The Inspector of Police,
Civil Supplies C.I.D,
Ramanathapuram.
Crime No. 118/2024.

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar,
Advocate.

For Respondent : Mr.K.Sanjaigandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 118 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the



CRL OP(MD). No.10828 of 2024

WEB COPY

respondent police for the offences punishable under Section 6(4) of the Tamil Nadu Schedule Commodities (Regulation of Distribution by call system) Order, 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 in Cr.No.118 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that petitioner herein and other accused have illegally transported 50 bags of PDS rice (each contains 40 kgs) worth about Rs.9,888/- by using the vehicle and the same has been recovered. Hence, the complaint.

3. The learned counsel for the petitioner would submit that petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) would submit that the property has been recovered and there is no previous case pending against the petitioner. He would further submit that A2 arrested and still in custody.

5.Considering the facts and circumstances of the case and also considering the



CRL OP(MD). No.10828 of 2024

WEB COPY

fact that the property has been recovered and that there is no previous case pending against the petitioner, 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 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.II, Ramanathapuram, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner is directed to deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of Claretian Mercy Home (Account No:-493902010009695, IFSC Code:-UBIN0549398), Union Bank of India, Kotchadai Branch, Madurai - 625016 without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;



CRL OP(MD). No.10828 of 2024

WEB COPY

(b) 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 Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 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]; and;



CRL OP(MD). No.10828 of 2024

(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
19/07/2024

/ TRUE COPY /

/08/2024

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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D,
RAMANATHAPURAM.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
CLARETIAN MERCY HOME, KOTCHADAI, MADURAI.

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-8343[I] dated 23/07/2024)



WEB COPY



CRL OP(MD). No.10828 of 2024

ORDER
IN
CRL OP(MD) No.10828 of 2024
Date :19/07/2024

SS/GS/SAR- /01/08/2024/6P/7C

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