



CRL OP(MD). No.10741 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2024

PRESENT

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

CRL OP(MD). No.10741 of 2024

Adarsh

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Civil Supplies C.I.D,
Kuzhithurai at Nagercoil,
Kanyakumari District.
(Crime No. 123/2024.)

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.S.S

PRAYER :-

For Anticipatory Bail in Crime No.123 of 2024 on the file of the Respondent police.



CRL OP(MD). No.10741 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under clause 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Cr.No.123 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally received 43 bags of rice (each contains 50 kgs), which were collected from the family card holders of the locality. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case, based on the confession of the co-accused. Hence, the learned counsel prays for anticipatory bail to the petitioner.

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the petitioner is a receiver of the PDS rice and he has one previous case which was also similar in nature. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, 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



CRL OP(MD). No.10741 of 2024

WEB COPY

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 III, Nagercoil, 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 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;

(b) the petitioner shall report before the respondent police daily at 10.00 a.m for a period of three weeks.

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

(d) the petitioner 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 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.10741 of 2024

WEB COPY

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

sd/-
18/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Judicial Magistrate III,
Nagercoil.

2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Civil Supplies C.I.D.,
Kuzhithurai at Nagercoil,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-8178[I] dated 19/07/2024)

ORDER
IN
CRL OP(MD) No.10741 of 2024
Date :18/07/2024



CRL OP(MD). No.10741 of 2024

ED/ VR /SAR- (31/07/2024) 5P / 6C

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