



CRL OP(MD). No.10757 of 2024

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

Date : 19/07/2024

PRESENT

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

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S.Krishnammal

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
CSCID, Madurai,
Madurai Region.
(Crime No. 169 of 2024).

... Respondent/Complainant

For Petitioner : M/s.A.Balaji, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 BNS / Section 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 169 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 respondent police for the offences punishable under Section 6(4) of Tamil Nadu Scheduled



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Commodities (Regulation of Distribution by Call System), Order, 1982 r/w.

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7(1)(a)(ii) Essential Commodities Act, 1955, in Cr.No.169 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that petitioner has illegally transported 600 kgs of PDS rice worth about Rs.5,250/- 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 the co-accused already has been released on bail. He would further submit that the petitioner is not having any previous case.

5.Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, 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.III, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten



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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.1,000/- (Rupees One Thousand 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;

(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



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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;

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

sd/-
19/07/2024

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

TRP

To

1.The Judicial Magistrate No.III,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
CSCID-Madurai,
Madurai Region.

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



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The Officer Incharge,
Claretian Mercy Home,
Madurai.

+1 CC to M/s.A.BALAJI, Advocate (SR-8164[I] dated 19/07/2024)

ORDER
IN

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Date :19/07/2024

ED/ JGB /SAR- (30/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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