



CRL OP(MD). No.12184 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12184 of 2024

1.Esakkipandian
2.Lakshmanan

... Petitioners/Rank Not Known

Vs

The Inspector of Police,
CSCID - Thoothukudi,
Thoothukudi District.
(Crime No.120 of 2024)

... Respondent/Complainant

For Petitioners : M/s.V.Angusamy, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.120 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (Regulation of Distribution by Call System) order, 1982 r/w Section 7



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(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.120 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the other accused were found in illegal possession of 21,500 kg of PDS rice worth about Rs.5,37,000/-. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners herein are only labours. Based on the confession of A5, other accused have been added as accused in the FIR and no previous case is pending against the petitioners. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioners herein / A6 & A7. The petitioners A1 & A2 are used to procure the rice meant for Public Distribution System through ration shop from the family card holders for low price and sell the same to A3 & A4. In turn, A3 & A4 smuggle the same to Kerala for very high price. The petitioners herein are working as labours in the godown, where the alleged PDS rice was kept. Now, the investigation in this case is not yet completed and A5 was arrested and still in custody. Hence, he vehemently, opposed to grant anticipatory bail to the petitioners.

5.Considering all the sets of submissions made on either side and also



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considering the fact that the case relates to the rice meant for public distribution system for the poor and the quantity being 21.5 tons, the entire case has to be investigated thoroughly and this a case, which would require custodial interrogation of all the accused and therefore, I am not inclined to release the petitioners on anticipatory bail.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

05/08/2024

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/08/2024

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

dss
TO

1 THE INSPECTOR OF POLICE, CSCID THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.12184 of 2024
Date :05/08/2024

RS/JGB/SAR-(19.08.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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