



CRL OP(MD). No.12373 of 2024

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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.12373 of 2024

1.Kalaaignar

2.Marimuthu

... Petitioners/ Accused Nos.3 & 4

Vs

The Inspector of Police,
Civil Supplies CID,
Thoothukudi.
(Crime No.120 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.M.Jegadeesha Pandian, 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/A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order, 1982 r/w Section 7(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,

<https://www.mhc.tn.gov.in/judis>



the complaint.

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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 based on the confession of A5, other accused have been added as accused in the FIR. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that 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 the petitioners. In turn, the petitioners smuggle the same to Kerala for very high price. The petitioners herein are habitual offenders and they are having 10 previous cases all are similar in nature. 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 petitioner.

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



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6. Accordingly, this Criminal Original Petition stands dismissed.

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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, CIVIL SUPPLIES C.I.D, THOOTHUKUDI.

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

ORDER
IN

CRL OP(MD) No.12373 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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