



CRL OP(MD). No.19908 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19908 of 2024

1.Dilton Fernandaz John Rose,

2.Jessy

... Petitioners / Accused
Rank Not Known

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
CSCID Kulithurai Unit,
Kanyakumari District.
(Crime No.258 of 2024)

... Respondent/Complainant

For Petitioners: Mr.S.Palani Velayutham,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate,
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

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



CRL OP(MD). No.19908 of 2024

PRAYER :-
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For Anticipatory Bail in Crime No.258/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 17 of TNK (RT) Order 1973 r/w. 7(1)(a)(a) of the Essential Commodities Act, 1955, in Crime No.258 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of 2,400 litres of kerosene and the same was carried in a vehicle.

3. Heard the learned counsel on either side and perused the material records of the case.

4. The case of the petitioners is that they are fishermen and they have purchased kerosene for their motor boats.

5. The learned Government Advocate (Criminal Side), on instructions,



CRL OP(MD). No.19908 of 2024

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submitted that the petitioners were only issued with summons and called for an enquiry. Instead of attending enquiry, they filed the present anticipatory bail petition.

6. Taking into consideration the facts and circumstances of the case and also the fact that the respondent police only wants to conduct an enquiry by issuing summons and following the procedure under Section 35 of the BNSS, there is no apprehension of arrest for the petitioners. Hence, the petitioners shall attend the enquiry conducted by the respondent police and their statement shall be recorded and the investigation shall be completed within a period of 3 months.

7. This criminal original petition is disposed of in the above terms.

sd/-
18/11/2024

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/11/2024

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

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TO

1. The Inspector of Police,
CSCID Kulithurai Unit,
Kanyakumari District.

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CRL OP(MD). No.19908 of 2024

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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-14238[I] dated
19/11/2024)

ORDER
IN
CRL OP(MD) No.19908 of 2024
Date :18/11/2024

RK/ (23/11/2024) 4P / 4C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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