



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

Tuesday, the Twenty Fifth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16346 of 2015

KONASAHUL @ SAHUL HAMEED

... PETITIONER/ACCUSED NO.7

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CSCID, DINDIGUL DISTRICT.
(CRIME NO. 164 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.VEILKANI RAJU Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, in Crime No.164 of 2015 on the file of the respondent police, was arrested on 15.08.2015 for the alleged offences punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 and hence, seeks bail.

2. According to the de-facto complainant, the Inspector found in the lorry bearing Registration No.TN-02-L-7451, 200 bags of rice each containing 50 kgs.

3. The learned counsel for the petitioner submitted that the petitioner is neither owner of the lorry nor the contraband seized by the respondent and as per the allegation, he acted as a broker to purchase rice meant for public distribution system on behalf of accused 1 and 2. It is further submitted that similarly placed accused viz., Senthil Arumugam was granted anticipatory bail by the Sessions Court in Crl.M.P.No.1654 of 2015. It is further contended that the petitioner's name is not mentioned in the F.I.R., and he has been implicated only on the confession of the first accused.

4. Per contra, the learned Government Advocate (Crl.side) vehemently opposed the granting of bail to the petitioner that the petitioner has been purchasing rice on behalf of the accused 1 and 2 for the past 15 years and the accused Senthil Arumugam has not been added as an accused as on date. It is further submitted that the petitioner is having one previous case.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain



conditions. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.III, Dindigul and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-

25/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.

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

4 THE INSPECTOR OF POLICE
CSCID, DINDIGUL DISTRICT.

5 THE OFFICER-IN-CHARGE,
SUB-JAIL, DINDIGUL.

+1. CC to M/S.M.VEILKANI RAJU Advocate SR.No.48960

Akm/25.08.2015 /2p-7c/

ORDER

IN

CRL OP(MD) No.16346 of 2015

Date :25/08/2015