

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Wednesday, the Thirtieth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5287 of 2016

1 SUGENDRAN
2 BACKIARAJ

... PETITIONERS/ACCUSED No.1 & 2

Vs

STATE REP.BY

THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
NO. 1103, TRICHY ROAD,
COIMBATORE
(F.NO.DRI/CRU/VIII/48/12/ENQI/INTI/2016-CBE)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.THIRUVADIKUMAR Advocate

For Respondent : MR.C.ARULVADIVEL @ SEKAR, Special Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 21.01.2016 for the offences punishable under Sections 104 r/w. 135 of Customs Act, 1962 in F.No.DRI/CRU/VIII/48/12/ENQI/INTI/2016-CBE on the file of the respondent police, seek bail.

2. Mr.Arul Vadivel @ Sekar, learned Special Public Prosecutor fairly submitted that the complaint in this case has not been filed by the respondent police within the stipulated period of 60 days and therefore, the petitioners will be entitled to get statutory bail under Section 167 Cr.P.C.

3. Taking into consideration the facts and circumstances of the case, this Court is of the view that this a fit case to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur.

[ii] the petitioners shall report before the respondent police every day at 10.30 a.m. until further orders.

[iii] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[iv] the petitioners shall not abscond either during investigation or trial.

[v] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[vi] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-
30/03/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
NO. 1103, TRICHY ROAD, COIMBATORE.
- 5 THE SPEICAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADIKUMAR Advocate SR.No.17687

ORDER
IN
CRL OP(MD) No.5287 of 2016
Date :30/03/2016

PA/AN-MP/AR I/30.03.2016/2P/7C

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