



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

Date : 10/07/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7090 of 2020

MUNIYASAMY

... PETITIONER/4th ACCUSED

VS

THE STATE REP. BY
THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D,
RAMANATHAPURAM.
(CRIME NO.67 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s T.Lenin Kumar,
Advocate.

For Respondent : K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.67 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is the accused No.4 in Crime No.67 of 2020 for the offence under clause 6(2)(3)(4) of TNSC(RDCS) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, was arrested and remanded to judicial custody on 20.06.2020 and hence, he seeks bail.

2. The allegation against the petitioner is that in connivance with Accused No.5, a Salesman in the Fair Price Shop, the petitioner had illegally transported 70 bags of raw rice (each contains 50 Kgs.).



3. The learned counsel for the petitioner would submit that Accused Nos.1 to 3 have already been released on bail and the petitioner is the owner of the vehicle and he is no way connected to the alleged occurrence. Therefore, he prayed for bail in favour of the petitioner.

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4. Heard the learned Government Advocate (Criminal side) also.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is the owner of the vehicle and Accused Nos.1 to 3 have already been released on bail, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Ramanathapuram.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioner shall report before the respondent police as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
CIVIL SUPPLIES C.I.D,
RAMANATHAPURAM.
- 4 THE OFFICER INCHARGE,
SUB JAIL, PARAMAKUDI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7090 of 2020
Date :10/07/2020

SML
JM/VR/SAR 3/13.07.2020/3P/6C