



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

Date : 01/10/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD). No.10628 of 2020

WEB COPY

1. Velayutham,
2. Venkatesh,

... Petitioners/Accused 4 & 5

Vs

The State rep. by
The Inspector of Police,
Civil Supplies C.I.D, Trichy.
(Crime No. 149 of 2020).

... Respondent/Complainant

For Petitioners : M/s. T.Lenin Kumar,
Advocate.
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Cr.No.149 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A4 and A5 were arrested and remanded to judicial custody on 30.08.2020 for the alleged offences under Sections 6(4) TNSC (RDCS) Order 1982 r/w Section 7(1) (a)(ii) of Essential Commodities Act.

2. The case of the prosecution is that the petitioner along with other accused said to have illegally transported 70 bags of PDS rice each contains 50Kgs. At the time, the respondent police on information seized the lorry and PDS rice. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case. He would also submit that co-accused in this case namely A1 was released on bail by this Court.

4. The learned Government Advocate (crl. Side) appearing for the respondent police would submit that petitioners along with other accused said to have illegally transported 70 bags of PDS rice each contains 50Kgs. He would also submit that the entire contraband



against the petitioners.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that the contraband has been seized and also taking note of the fact that no previous case is pending against the petitioners and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichy

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 petitioners shall report before the respondent police as and when required for interrogation.

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

iv) the petitioners 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 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) If the petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/10/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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



TO

- 1.The Judicial Magistrate No.VI, Trichy.
- 2.Do Through
The Chief Judicial Magistrate,
Trichy.
3. The Superintendent, Central Prison, Trichy
4. The Inspector of Police,
Civil Supplies C.I.D, Trichy.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.10628 of 2020
Date : 01/10/2020

TR/RSK/SAR-II (01.10.2020) 3P 6C