



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

Date : 07/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10917 of 2020

ARUN ... PETITIONER/ACCUSED No.1

VS

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
CSCID POLICE STATION,
TIRUNELVELI.
(CRIME NO. 150/2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.N.Karthikeyan,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 150 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1 herein was arrested and remanded to Judicial Custody on 03.09.2020 for the offences punishable under Section 6(4) of TNSC(RDCS)Order 1982 and Section 7(1)(a)(ii) of Essential Commodities Act,1955.

2. There are totally four accused in this case and the petitioner herein is arrayed as A1. The case of the prosecution is that the petitioner and others were found in illegal possession of 12000kg of PDS rice.

3. The learned counsel for the petitioner would submit that the petitioner is a driver and he has been falsely implicated in the above case. He would also submit that the petitioner is in jail for

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



4.The learned Government Advocate(Crl.Side) would submit that petitioner and others were found in illegal possession of 12000kg of PDS rice. he would also submit that the entire quantity of rice has been seized by the respondent police.

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5. Taking note of the above facts and circumstances of the case and also taking note of the fact that the entire quantity of rice has been seized also taking into consideration the period of incarceration, 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.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Tirunelveli

[a] the petitioner is directed to contribute 25 bags of branded ponni rice(each 50 Kg) to Anbagam, Manavalarchi Kundriyor Sirapupalli, Ramaond Reserve Line, Near Thamaraitthotti, Race Course Colony, Madurai without prejudice to his defence before the trial Court and on such contribution being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner

[b] 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;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

[d]the petitioner shall not abscond either during investigation or trial.

[e]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f]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].

[g]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/10/2020

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/ /2020

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,
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE SUB INSPECTOR OF POLICE,
CSCID POLICE STATION,
TIRUNELVELI.
- 4 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
ANBAGAM, MANAVALARCHI KUNDRIYOR SIRAPUPALLI,
RAMAOND RESERVE LINE, NEAR THAMARAITHOTTI,
RACE COURSE COLONY, MADURAI

ORDER

IN

CRL OP(MD) No.10917 of 2020

Date :07/10/2020

aav

JM/VR/SAR I/07.10.2020/3P/7C