



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.14256 of 2020

Kathirvel ... Petitioner/Sole Accused

Vs

State Rep. by
The Inspector of Police,
C.S.C.I.D.P.S., Trichy,
Trichy District.
Crime No.208 of 2020. ... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj, Advocate
for M/s.Veera Associates

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

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

PRAYER :- To Bail in Crime No.208 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 20.11.2020 for the offences punishable under Sections 6(3) and 14 of TNSC (RDCS) Order, 1982 r/w.7(1)(a)(ii) of E.C Act, 1955 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner who was working as a Salesman in the ration shop had misappropriated the food items meant for public. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against the petitioner. He would also submit that occurrence said to have taken place on 16.09.2020 and the First Information Report was registered only on 07.11.2020. He would also submit that the petitioner had not committed any misappropriation but in order to prove his bonafide he has paid a sum of Rs.11,900/- to the society, hence he

<https://hcmvscourts.org.in/tocsvictor>



4. The learned Government Advocate(Crl.Side) would submit that petitioner who was working as a Salesman in the ration shop had misappropriated the food items meant for public.

5. Taking note of the above facts and circumstances of the case and 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, out of which one shall be blood relative surety each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Tiruchirapalli.

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 daily at 10.30 a.m for a period of three weeks and thereafter 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 accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/12/2020

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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



TO

1 THE JUDICIAL MAGISTRATE NO.VI,
TIRUCHIRAPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPALLI.

3 THE INSPECTOR OF POLICE,
C.S.C.I.D.P.S.,
TRICHY, TRICHY DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1. CC to M/S.VEERA ASSOCIATES Advocate SR.No.8003

ORDER

IN

CRL OP(MD) No.14256 of 2020

Date :09/12/2020

AAV

JM/PN/SAR II/09.12.2020/3P/7C