



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/01/2020

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.19390 of 2019

J.Basheer ... Petitioner/Accused
Vs

Senior Intelligence Officer,
Directorate of Revenue Intelllligence,
Trichy Regional Unit-I, Willims Road,
Trichy. ... Respondent/Complainant

For Petitioner : M/s.M.Seeni Sulthan,
Advocate.
For Respondent : Mr.C.Arul Vadivel @ Sekar,
Special Public Prosecutor

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

PRAYER :-

For bail in F.No.DRI/TRY/VIII/48/ENQ/INT-02/2019 on the file
of the respondent police

ORDER : The Court made the following order :-

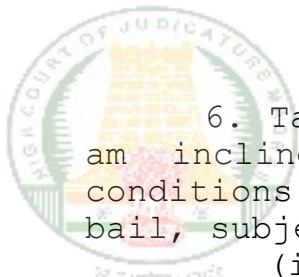
Heard the learned counsel appearing for the petitioner and the
learned Special Public Prosecutor appearing for the respondent.

2. The petitioner was remanded to judicial custody on 25.11.2019
for the offences under Section 135(1)(b) and 135(1)(c) of Customs
Act, 1962 in F.No.DRI/TRY/VIII/48/ENQ-1/INT-02/2019 on the file of
the respondent police. He seeks bail.

3. The case of the prosecution is that hte petitioner arrived by
a flight from Singapore and on examination of his baggage, it was
found to contain a large number of live tortoise from China. They
had been concealed in a packet labelled as food product.

4.The learned Special Public Prosecutor stated that the
introduction of this live tortoise in Indian ponds would have
ecological and environmental impacts and therefore the entire
consignment had been sent back to China.

5.Be that as it may, I am of the view that, the continued
incarceration of the petitioner is not going to serve any purpose.



6. Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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.I, Tiruchirapalli District.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
02/01/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRAT NO.I, TIRUCHIRAPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHIRAPALLI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE SENIOR INTELLIGENCE OFFICER,
DIRECTORATE OF REVENUE INTELLIGENCE,
TRICHY REGIONAL UNIT-I, WILLIMS ROAD, TRICHY.

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

+1 CC to M/s.C.ARUL VADIVEL@SEKAR, Advocate (SR-19[I] 02/01/2020)
+1 CC to M/s.M.SEENI SULTHAN, Advocate (SR-13[I] dated 02/01/2020)

ORDER
IN
CRL OP(MD) No.19390 of 2019
Date :02/01/2020

SDS/VR/SAR-1/02.01.2020/2P-8C

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