

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

Coram

The Honourable Mr.Justice G.CHANDRASEKHARAN

Cr1.O.P.No.9071 of 2021

Sadham Hussain

...Petitioner

Versus

The State rep. by  
Inspector of Police,  
Civil Supply CID,  
Pollachi,  
Coimbatore District.  
(Crime No.95 of 2021)

...Respondent

This Criminal Original Petition is filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.95 of 2021 on the file of the respondent Police.

For Petitioner : Mr.S.N.Arunkumar  
for Mr.W.Camyles Gandhi

For Respondent : Mr.S.Karthikeyan,  
Addl. Public Prosecutor

**ORDER**

The petitioner was arrested and remanded to judicial custody on 17.04.2021 for the alleged offences punishable under Section 6(4) of TNSC (RDCS) Order 1982 r/w. 7(i)(a)(ii) of E.C.Act, in Crime No.95 of 2021 on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 2000 Kgs of PDS Rice worth amount Rs.11,300/-.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has been in judicial custody since 17.04.2021.

5. Taking note of the fact that the petitioner has been in judicial custody since 17.04.2021 and the prevailing COVID-19 Pandemic situation, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail, on depositing a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Tamil Nadu Chief Minister's Relief Fund and on production of proof of such deposit and also on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate - IV, Coimbatore and on further conditions that:

(a) the petitioner shall report before the respondent police daily at 10.30 a.m and 5.30 p.m until further orders.

(b) the petitioner shall not abscond either during investigation or trial.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(d) 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 is released on bail by the learned Magistrate himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

(e) If the petitioner/accused thereafter absconds a fresh FIR can be registered under Section 229A IPC.

-sd/-  
12/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.IV,  
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE. (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,  
CIVIL SUPPLY CID,  
POLLACHI,  
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT OF MADRAS, CHENNAI.104.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

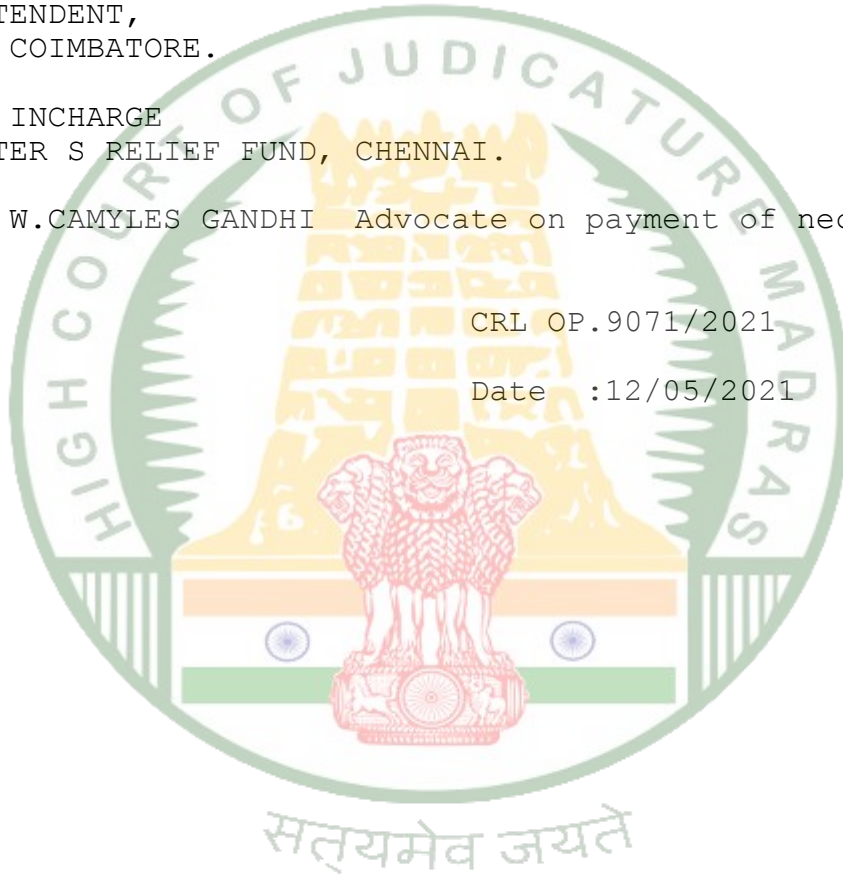
6 THE OFFICER INCHARGE  
THE CHIEF MINISTER S RELIEF FUND, CHENNAI.

CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary  
charges

RG.13.05.2021

CRL OP.9071/2021

Date :12/05/2021



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