



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.10637 of 2022

1 SATHISH
2 MARUTHAPPAN @ MARUTHAPANDIAN
3 VINOTH @ VINOTHKUMAR
4 PREMNATH

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
CSCID POLICE STATION
VELLORE DISTRICT.
CRIME NO.72 OF 2022.

[RESPONDENT]

For Petitioners : M/S.T.ARUL Advocate

For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

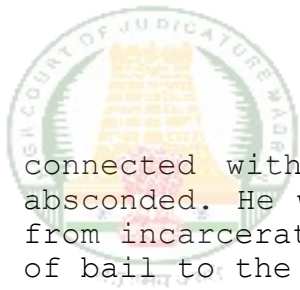
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A2 to A5, who were arrested and remanded to judicial custody on 16.04.2022 for the alleged offence punishable under Sections 6(4) TNSC (RDCS) order 1982 and r/w 7(1)(a)(ii) of the E.C.Act in Crime No.72 of 2022 on the file of the respondent/police, seek bail.

2. The case of the prosecution is that the petitioners along with the other accused were found in illegal transportation of 2 tons of PDC rice in a TATA ACE Van.

3. The learned counsel for the petitioners would submit that the petitioners are falsely implicated in this case and they were no way



connected with the alleged offence and the co-accused/A1 has been absconded. He would further submit that the petitioners are suffering from incarceration for more than 20 days and hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that totally five accused are involved in this case. The petitioners have been arrayed as A2 to A5 and that A1 has been absconded. She would further submit that the petitioners were alleged to have illegally transported 2000 kgs of PDS rice in a TATA Ace van and the value of the PDS rice is Rs.11,300/- and the vehicle is Rs.1,00,000/- and total value of the property is Rs.1,11,300/-. She would further submit that one previous case is pending as against the first petitioner/A2 and there is no previous case as against the petitioners 2 to 4 and investigation is still pending, hence, she objects to grant bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and perused the materials available on record.

6. Admittedly, totally five accused are involved in this case and the petitioners, who were arrayed as A2 to A5 were arrested and remanded to judicial custody on 16.04.2022 for the alleged offence punishable under Sections 6(4) TNSC (RDCS) order 1982 and r/w 7(1) (a) (ii) of the E.C.Act. The petitioners have filed CrI.M.P.No.1593 of 2022 before the Principal Sessions Judge, Vellore and the same was dismissed on 28.04.2022 and hence, the petitioners are before this Court seeking bail.

7. The Public Distribution System (PDS) evolved as a system of management of scarcity through distribution of food grains and other essential commodities to the poor people. However, nowadays the same is not properly reaching the needy people. Therefore, illegal transportation of PDS commodities is an offence which is not tolerable one. Even people who are affordable are not helping the poor, but they prevent in reaching such commodities to the poor thereby affecting the welfare activities of the Government.

8. Considering the serious nature of the offence and also considering the fact that the other co-accused A1 has been absconded, there is a specific overtact against the petitioners and if the petitioners are released on bail, there is a possibility of tampering witnesses or hampering the investigation, hence, this Court is not inclined to grant bail to the petitioners.



9. Accordingly, this Criminal Original Petition is dismissed.

10. The case is directed to be transferred from the file of the respondent/police to the file of CBCID. The CBCID is directed to investigate the matter and find out how the petitioners procured the rice and file a report before this Court.

-sd/-
06/05/2022

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 INSPECTOR OF POLICE
CSCID POLICE STATION,
VELLORE DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.ARUL Advocate on payment of necessary charges

CRL OP.10637/2022

Date :06/05/2022

JPA 13/05/2022