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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.13098 of 2022

- 1.Sathish
- 2.Maruthappan @ Maruthapandiyan
- 3.Vinoth @ Vinoth Kumar
- 4.Premnath

..Petitioners

Vs.

The State Represented by
The Inspector of Police
CSCID Police Station,
Vellore, Vellore District
crime No.72 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in crime No.72 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.T.Saravanan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 16.04.2022 for the offences punishable under Sections 6(4) TNSC (RDCS) order 1982 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 on 16.04.2022, the petitioners were travelling in a TATA ACE vehicle illegally carrying 2000 kg of PDS rice. Hence the case.



3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that on the occurrence day, the petitioners were found travelling in TATA ACE vehicle illegally carrying 2000 kg of PDS rice worth Rs.11,300/- and they were arrested and arrayed as accused. Hence, he vehemently opposed to grant bail to the petitioners.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to jointly deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non refundable deposit to the credit of the Chief Minister Relief Fund, Tamil Nadu and on such deposit, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.4, Vellore and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall jointly deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non refundable deposit to the credit of the Chief Minister Relief Fund, Tamil Nadu.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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07/06/2022

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 JUDICIAL MAGISTRATE,
NO.4, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
CSCID POLICE STATION,
VELLORE,VELLORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON,VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SECRETARY,
THE CHIEF MINISTER RELIEF FUND,
SECRETARIAT,CHENNAI, TAMIL NADU.

+1CC to M/S T.SARAVANAN Advocate on payment of necessary
charges SR.No.8590

CRL OP.13098/2022

Date :07/06/2022

CSK 09/06/2022