



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

WEB COPY

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

Crl.OP.No.15055 of 2022

Sajeeth

.. Petitioner/A2

Vs.

State rep. by its
Inspector of Police,
Civil Supply CID,
Pollachi,
Coimbatore District
crime No.163 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.163 of 2022 pending investigation on the file of the respondent police.

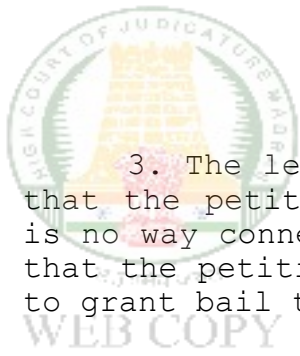
For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.06.2022 for the offences punishable under Section 6(4) of TNSC (RDSCS) Order 1982 r/w Section 7(1)(a)(ii) of E.C. Act, 1955 in crime No.163 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the respondent police while conducting a vehicle check up at Negamam to Kappalangerai Road, Pollachi, stopped a vehicle Ashok Leyland Dost bearing registration No.KL 42 F 6930 and on search, it was found in possession of 1500 kgs of PDS rice (50 kg x 30 bags) and thereafter, the rice and the vehicle were seized by the respondent police.



3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he is no way connected with the alleged offence. He would further submit that the petitioner is only the owner of the vehicle. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is arrayed as A2 in this case and he is the owner of vehicle, wherein 1500 kg of PDS rice was found. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case and the also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to make non refundable deposit of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Chief Justice Relief Fund, High Court of Madras and on such deposit, 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, each for a like sum to the satisfaction of the learned Judicial Magistrate-IV, Coimbatore 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 petitioner shall make non refundable deposit of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Chief Justice Relief Fund, High Court of Madras, and that the receipt of such deposit shall be produced before the concerned Magistrate at the time of executing the bond;

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

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

[e] the petitioner 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 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].



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
30/06/2022

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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 .

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SECTION OFFICER
ACCOUNT SECTION
CHIEF JUSTICE RELIEF FUND
HIGH COURT, MADRAS.

+1 CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary charges SR.NO.10380

CRL OP.15055/2022

Date :30/06/2022

JPA 30/06/2022