



WEB COPY



Crl.OP.No.19357 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

CORAM

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

Crl.OP.No.19357 of 2022

Ramakrishnan

...Petitioner

Vs.

State by:-

The Inspector of Police,
CSCID Police Station,
Krishnagiri District.
(Crime No.123 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to grant bail to the petitioner pending investigation in Crime
No.123 of 2022 on the file of the respondent police.

For Petitioner	: Mr.M.Jayachandran
For Respondent	: Mr.A.Gopinath Govt. Advocate (Crl.Side)



Crl.OP.No.19357 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.07.2022 for the offences punishable under Section 6(4) of TNSC (RDCS) Order, 1982 r/w 7(i) a (ii) of E.C. Act 1955 in crime No.123 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.07.2022 at about 7.00 a.m., when the respondent police were on their regular patrol, at that time they intercepted a lorry bearing Reg. No. KA-01-C-9749 and in search, it was found that the petitioner had illegally transported 21,000 Kgs of PDS Rice without obtaining any permission or license from the State Government. Hence, the complaint.

3. The learned Government Advocate (Crl. Side) submitted that the petitioner is the driver of the lorry and he further submitted that there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

4. Considering the above facts and circumstances of the case



CrI.OP.No.19357 of 2022

and also the period of incarceration by the petitioner from the date of their arrest i.e., 29.07.2022, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner shall donate 10 bags of Ponni Rice (each 50 kgs) and 2 bags of toor dal (each 25 kgs) to **Sri Nivedidha Seva Trust, No.3/367, Narasamma Colony, Hosur, Krishnagiri (Dt) – 635109. Ph. 9443982835** and shall also donate 10 bags of Ponni Rice (each 50 kgs) and 2 bags of toor dal (each 25 kgs) to **Vinayaga Home for Children, No. 12, Bagalur Road Near Tirupathi Kalyana Mandapam, Nanjappa Nagar, Hosur, Krishnagiri district.Ph. 9443688240** and on such donation, the petitioner is ordered to be released on bail on their 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 No.I, Krishnagiri**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



CrI.OP.No.19357 of 2022

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 donate 10 bags of Ponni Rice (each 50 kgs) and 2 bags of toor dal (each 25 kgs) to **Sri Nivedidha Seva Trust, No.3/367, Narasamma Colony, Hosur, Krishnagiri (Dt) – 635109. Ph. 9443982835** and shall also donate 10 bags of Ponni Rice (each 50 kgs) and 2 bags of toor dal (each 25 kgs) to **Vinayaga Home for Children, No. 12, Bagalur Road Near Tirupathi Kalyana Mandapam, Nanjappa Nagar, Hosur, Krishnagiri district.Ph. 9443688240** and the receipt of such donations shall be produced before the concerned learned Magistrate at the time of execution of bond.

[c] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter 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



CrI.OP.No.19357 of 2022

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 abscond, a fresh FIR can be registered under Section 229A IPC.

17.08.2022

Sma

To

- 1.The Judicial Magistrate No.I,
Krishnagiri.
- 2.The Inspector of Police,
CSCID Police Station,
Krishnagiri District.
- 3.Sub Jail,
Krishnagiri.
- 4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.19357 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.19357 of 2022

17.08.2022