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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.31754 of 2022

Jayanthi

...Petitioner

Vs.

State rep. by
The Inspector of Police,
CSCID, Krishnagiri,
Krishnagiri District.
(Crime No.216 of 2022)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/accused on bail in Crime No.216 of 2022 on the file of the respondent police.

For petitioner : Mr.P.M.Jayachandran

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 05.12.2022 for the offence under Sections 6(4) of TNSC (RDCS) order 1982



r/w 7(i)(a)(ii) of EC Act, 1955, in Crime No.216 of 2022, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 4650 Kgs of PDS rice. Hence the complaint.

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

4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioner along with other accused were found in illegal possession of 4650 Kgs of PDS rice. He would further submit that the petitioner has two previous cases against him similar in nature. Hence, he vehemently opposed to grant bail to the petitioner.



5. Considering the facts and circumstances of the case, and also taking note of the fact that investigation is completed, this Court is inclined to grant bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.15,000/- to the credit of **Idhayangal Charitable Trust, A/c.No.6517087788; IFSC Code : IDIB000K169, Indian Bank, KMCH Goldwins Branch, Avinashi Road, Coimbatore – 641 014.**

6. Accordingly, 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 No.I, Krishnagiri**, 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 report before the respondent police on every **Saturday at 10.30 a.m** for a period of two months and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.15,000/- to the credit of **Idhayangal Charitable Trust, A/c.No.6517087788; IFSC Code : IDIB000K169, Indian Bank, KMCH Goldwins Branch, Avinashi Road,**



Coimbatore – 641 014.

[d]the petitioner shall not tamper with evidence or witness during trial;

[e]the petitioner shall not abscond during investigation/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]***; and;

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

22.12.2022

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To

- 1.The Judicial Magistrate No.I. Krishnagiri.
- 2.The Inspector of Police,
CSCID, Krishnagiri,
Krishnagiri District.
- 3.The Women Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI,J.
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CrI.O.P.No.31754 of 2022

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