



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/06/2022

PRESENT

The Hon`ble MR.Justice K.MURALI SHANKAR

CRL OP(MD). No.10359 of 2022

WEB COPY

1. SARAVANAN,
2. SUDALAIMANIRAJA, ... PETITIONERS/ACCUSED NO. 1 & 2

VS

THE STATE REPRESENTED BY
THE DEPUTY SUPERINTENDENT OF POLICE,
CSCID-POLICE STATION,
KARUR DISTRICT
(CRIME NO. 50 OF 2022). ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S. SUYAMBULINGA BHARATHI K,
ADVOCATE.

FOR RESPONDENT : MR.P.KOTTAICHAMY,
GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.50 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 20.04.2022 for the offences punishable under Sections 2(e)(V), 2(e)(VI) and 2(e)(VII) of Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order 1998 and Section 7(1)(a)(ii) Essential Commodities Act, 1955 in Crime No.50 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners have illegally filled up adulterated diesel in a tanker lorry for the purpose of selling it at a hire price. Therefore, the present case came to be registered against the petitioners.

3.The learned counsel for the petitioners would submit that A3, who is shown as the main accused has filed a petition before this Court in Crl.O.P.(MD)No.8294 of 2022 seeking to quash the First Information Report in Crime No.50 of 2022, dated 20.04.2022 and this Court, vide order, dated 29.04.2022 has granted interim stay.



4.The learned Government Advocate (Crl. side) for the respondent police would submit that the petitioners are having no previous case and that the investigation is yet to be completed.

5.Considering the nature of the charges levelled against the petitioners and also taking note of the fact that this Court has already granted interim stay of further proceedings of the First Information Report in Crime No.50 of 2022 with respect to A3 and also the facts that the petitioners are not having any bad antecedents and that the petitioners are in judicial custody from 20.04.2022, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

ii) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

iii)the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v)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].

vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
15/06/2022

/ TRUE COPY /

15/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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TO

1. THE JUDICIAL MAGISTRATE NO.I, KARUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE OFFICER INCHARGE,
SUB JAIL, KARUR, KARUR DISTRICT.
4. THE DEPUTY SUPERINTENDENT OF POLICE,
CSCID-POLICE STATION,
KARUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10359 of 2022
Date :15/06/2022

GC/PN/SAR-1(15.06.2022) 3P 6C