



Crl OP No.10677 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.OP. No. 10677 of 2023

1.Vikram Kumar

2.Raja @ Dam Raja

3.Annadurai

... Petitioners/Accused Nos.1 to 3

Versus

State rep.by

The Inspector of Police,

CSCID - Krishnagiri Police Station,

Krishnagiri District.

(Crime No.59 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Sections 439 of Cr.P.C.
praying to release the petitioners on bail in Crime No.59 of 2023 on the
file of the Respondent Police.

For Petitioners : Mr.P.M.Jayachandran

For Respondent :Mr.E.Raj Thilak,
Additional Public Prosecutor



Crl OP No.10677 of 2023

WEB COPY

ORDER

The petitioners, who were arrested and remanded to judicial custody on 25.04.2023 for the offence punishable under Sections 6(4) TNSC (RDCS) Order 1982 r/w. 7(i)(a)(ii) of EC Act, in Crime No.59 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioners had illegally transported 4500 kgs of PDS rice worth about Rs.25,425/- in a Bolero Pickup bearing Reg.No.KA-05-C-3573. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners is an innocent person and he has been falsely implicated in this case, since he has got some previous cases. He had also submitted that the petitioners is in custody from 25.04.2023. Hence, he seeks for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that petitioners had illegally transported 4500 kgs of PDS rice worth about



Crl OP No.10677 of 2023

Rs.25,425/- in a Bolero Pickup bearing Reg.No.KA-05-C-3573 . He further submitted that four previous cases of similar nature are pending as against the petitioners and hence, vehemently opposed for grant of bail to the petitioners.

5.Considering the facts and circumstances of the case, the period of incarceration and that further custody of the petitioners is not required for investigation, this Court is inclined to grant bail on the following conditions;

(a) the petitioners shall execute 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 Court No.I, Krishnagiri.

[b] 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.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.



Crl OP No.10677 of 2023

WEB COPY

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

10.05.2023

(sma/sha)



WEB COPY



Crl OP No.10677 of 2023

SUNDER MOHAN, J

(sma)

To

- 1.The Judicial Magistrate,
Court I, Krishnagiri District.
- 2.The Inspector of Police,
CSCID - Krishnagiri Police Station,
Krishnagiri District.
- 3.Sub-Jail, Krishnagiri.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai

Crl.O.P.No. 10677 of 2023

10.05.2023