



Crl.O.P.No.18135 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.18135 of 2023

Saravanan

...Petitioner

Vs.

State rep.by,
Inspector of Police,
CSCID Kanchipuram Police Station,
Crime No.56/2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to grant bail to the petitioners/accused No.2 in Crime No.56 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.M.Damodarakrishnan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2023 for the offences punishable under Sections 3(1) solvent order 2002, 7(1)(a)(ii) EC Act in Crime No.56 of 2023 on the file of the respondent, seeks bail.



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2. It is the submission of the learned counsel for the petitioner that petitioner is falsely implicated in this case in Crime No.56 of 2023 registered for the offence under Sections 3(1) solvent order 2002, 7(1)(a)(ii) EC Act. It is alleged that he was driving a vehicle bearing No. TN 05 BF 1714 with 17,500 litres of black oil without any permit or license. Petitioner is in judicial custody from 01.07.2023. Thus, he seeks bail.

3. In response, learned Additional Public Prosecutor submitted that, on a secret information, respondent police mounted surveillance near Thimmasamudram Erikkarai Road and found that some persons were loading a tanker bearing Reg.No.TN 05 BF 1714 with black oil. One Nadarajan was apprehended by them. On search, it was found that the lorry contained totally 17,500 litres of black oil without any license or permit. This oil was loaded in the tanker for the purpose of selling in black market. Lorry along with black oil were seized.

4. Considered the rival submissions and perused the records of the case.

5. The allegations against the petitioner is that petitioner was



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the lorry driver, which was found with 17,500 litres of black oil. Lorry and the black oil were seized. The petitioner is in judicial custody from 01.07.2023 and the material part of the investigation might have been completed by this time. Therefore, this Court is inclined to grant bail to the petitioner and the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate I at Kancheepuram**, 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 daily at 10.30 a.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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mpl

[e] 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].

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

10.08.2023

mpl

To

- 1.The Judicial Magistrate I
at Kancheepuram.
- 2.The Sub Jail at Kancheepuram.
- 3.The Inspector of Police,
CSCID Kanchipuram Police Station.
- 4.The Public Prosecutor,
High Court of Madras.

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