

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.25261 of 2023

V.Kalidasan S/o. Vedi

... Petitioner/Accused-1

Vs.

State by
The Inspector of Police,
Civil Supplies CID Police Station,
Krishnagiri.

(Crime No.182 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in Crime No.182 of 2023 on the file of the respondent police.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner seeks bail in Crime No.182 of 2023, registered by the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order, 1982, r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955. The petitioner had been taken into custody on 11.10.2023.

2. The petitioner is the driver of the vehicle bearing Regn.No.KA-53-3324 in which, the prosecution seized 152 bags (each weighing 40 Kg) of PDS rice, totally 6080 Kgs.

3. The learned counsel for the petitioner stated that there is no previous case pending as against the petitioner herein.

4. So far as the owner of the lorry is concerned, anticipatory bail had been filed and the same had been dismissed.

5. Taking into consideration the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner herein subject to the following conditions:

6. Accordingly, **the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit, directly to the credit of the Dean/Medical Officer, Government General Hospital, Krishnagiri,** without prejudice to his rights and contentions before the trial Court. On such deposit and production of proof, the petitioner is ordered to be released on bail on condition to 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 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 respondent police everyday at 10.30 a.m., until further orders. The condition should not be relaxed till A2 is secured by the respondent police.

[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.

[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.

03.11.2023

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To

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

C.V.KARTHIKEYAN. J.

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