



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

Date : 17/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12968 of 2023

Vignesh ... Petitioners / Accused No.2
Vs

State rep by
The Inspector of Police,
Civil Supplies CID,
Trichy District.
(Crime No.67 of 2023.) ... Respondent / Complainant

For Petitioner : M/s.Lenin Kumar T, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.67 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 18.06.2023 for the alleged offence under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of EC Act, 1955, in Crime No.67 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18.06.2023 on secret information, the respondent police has conducted searching at Godown near AIA Engineering Limited. At that time, the accused persons were found in illegal possession of 120 bags of rice (each contains 50 kgs), worth about Rs.28,500/-. Hence, the complaint.

3.The learned counsel for the petitioner submitted that this is the second petition for bail. The petitioner is an innocent person and not committed any offence as alleged by the prosecution. The co-accused has already been released on bail. The petitioner is also ready to file an undertaking that he will not commit any offence in future. Hence, prays for bail.



4.The learned Government Advocate (Crl.Side) submitted that the petitioner is having one previous case at his credit and considering the nature of offence, prays to dismiss the petition.

5.Considering the facts and circumstances of the case, this is the second petition for bail and the readiness of the petitioner to file an affidavit that he will not indulge in any offence in future and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of **Rs.28,500/- (Rupees Twenty Eight Thousand and Five Hundred only)** to the credit of Cr.No.67 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7.On such deposit being made, the petitioner is ordered to be released on bail, on executing a personal 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.VI, Trichy**, on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will not indulge in any offence in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. If any case is registered against the petitioner in future, the bail that has been granted in this case, will stand automatically cancelled without reference to this Court.

sd/-
17/07/2023

/ TRUE COPY /

17/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

1.The Judicial Magistrate No.VI,
Trichy.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Civil Supplied C.I.D.,
Trichy District.

<https://www.mhc.tn.gov.in/judis>



4.The Superintendent,
Central Prison, Trichy.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-10788[I] dated
17/07/2023)

ORDER

IN

CRL OP(MD) No.12968 of 2023

Date :17/07/2023

ED/AKM/SAR- (17/07/2023) 3P 7C