



CRL OP(MD). No.20110 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20110 of 2023

1. Govindasamy,

2. Sabrishkannan,

3. Murugesan,

... Petitioners/ Accused Nos.2 to 4

Vs

The State rep. by,
The Inspector of Police,
Thanjavur CSCID Police Station,
Thanjavur.
(Crime No.144 of 2023).

... Respondent/ Complainant

For Petitioners : D.Rameshkumar
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime no.144 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/ A2 and 4 herein, who were arrested and remanded to judicial custody on 13.10.2023 for the alleged offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.144 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the respondent police on receipt of secret information regarding transportation of PDS rice they conducted raid on 13.10.2023 at about 6.00 a.m., near Keelavasal Fish Market, Thanjavur they found the petitioners along with other accused carrying 1800kgs of PDS rice in Mahindra Bolero Maxi Truck vehicle bearing Reg. No. TN20 CD 8420. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in judicial custody from 13.10.2023 and the property was also recovered, hence he seeks bail.



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4.The learned Additional Public Prosecutor submitted that the petitioners along with other accused have illegally transported 1800kgs of PDS rice meant for general public. He would further submit that the property has been recovered. He would further submit that the first petitioner/ A2 is having one similar previous case.

5.Considering the period of incarceration and the fact that the property has been recovered and no previous case is pending against the petitioners 2 and 3 , this Court is inclined to grant bail to the petitioners 2and 3 with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners 2 and 3 are ordered to be released on bail, on executing a personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.



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7. Since the first petitioner is having a similar previous case, this petition stands dismissed as against the first petitioner.

sd/-
08/11/2023

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08/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
To

1. The Judicial Magistrate No.II, Thanjavur.
2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
3. The Officer Incharge, District Prison, Thanjavur.
4. The Inspector of Police,
Thanjavur CSCID Police Station,
Thanjavur.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :08/11/2023

SSA/08.11.2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023