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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.20106 of 2023

Manikandan

... Petitioner/ Accused No.1

Vs

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

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran,  
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.144/2023 on the file of the Respondent Police.



**ORDER :** The Court made the following order :-

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The petitioner/A1 herein, who was arrested and remanded to judicial custody on 13.10.2023 for the alleged offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDSCS) 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, seeks 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 petitioner 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 petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 13.10.2023 and the property was also recovered, hence he seeks bail.

4.The learned Additional Public Prosecutor submitted that the petitioner 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.



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

6. Accordingly, this Criminal Original Petition is allowed and 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.II, Thanjavur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

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  
THANJAVRU.



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2 THE CHIEF JUDICIAL MAGISTRATE  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,  
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE  
THANJAVUR CSCID POLICE STATION,  
THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate ( SR-16049[I] dated 08/11/2023 )

ORDER

IN

CRL OP(MD) No.20106 of 2023

Date :08/11/2023

MK/08.11.2023 4P 7C

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