



CRL OP(MD). No.20479 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Muruga Sadasaram,

... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Civil Supplies CID,
Trichy District.
Cr.No.144/2023.

... Respondent/Complainant

For Petitioner : Mr.T.LENINKUMAR,
Advocate.

For Respondent : Mr.RMS.SETHURMAN,
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 :-

The petitioner /A1 who was arrested and remanded to judicial custody on 26.10.2023 for the offences under sections 6(4) TNSC(RDCS) Order 1982 r/w.Section 7 (i)(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 petitioner along with other accused have



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illegally transported 40 bags of PDS rice(each containing 50kgs) meant for general public in a two wheeler bearing Reg. No.TN 63 AT 1555 and four wheeler bearing Reg.No.TN 67 BX 8956 , hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in judicial custody from 26.10.2023, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused have illegally transported 40 bags of PDS rice(each containing 50kgs) meant for general public in a two wheeler bearing Reg. No.TN 63 AT 1555 and four wheeler bearing Reg.No.TN 67 BX 8956 , hence he objected to grant bail to the petitioner. However he fairly concedes that A5 was released on bail by the this Court and other accused were released were granted anticipatory bail by the Sessions Court and the property has been recovered.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration the fact that A5 was released on bail by the this Court and other accused were released were granted anticipatory bail by the Sessions Court and the property has been recovered and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner , subject to the following conditions:



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6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate No.VI, Trichy 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit by way of Demand Draft/RTGS/NEFT to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation.

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

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

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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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].

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

sd/-
10/11/2023

/ TRUE COPY /

10/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1 THE JUDICIAL MAGISTRATE NO.VI,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
TRICHY DISTRICT.

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



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COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI,
PERIYAKULAM

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-16154[I] dated 10/11/2023)

ORDER
IN
CRL OP(MD) No.20479 of 2023
Date :10/11/2023

SA/SAR. /10.11.2023/5P/8C

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