



WEB COPY



Crl.O.P.No.11056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11056 of 2024

Ramesh @ Appu

...petitioner

Vs.

State represented by
The Inspector of Police,
CSCID Police Station,
Krishnagiri District.
(Crime No.25 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge bail to the petitioner pending investigation in Crime No.25 of 2024 on the file of the respondent Police.

For petitioner : Mr.P.M.Jayachandran

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner/Accused, who was arrested for the offences punishable under Sections 6(4) Tamil Nadu Schedule Commodities (Regulation of Distribution Through Card System) Order 1982 read with



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Section 7(1)(a)(ii) of the Essential Commodities of Act 1955 in Crime No.25 of 2024, on the file of the respondent police, seeks bail.

2. The petitioner herein found in possession of 2150 kgs of PDS rice in a vehicle TVS XL100 bearing registration No.TN 70 AE 0325 with intention to transport it illegally without any proper permit. The petitioner was arrested on 02.04.2024.

3. The learned counsel for the petitioner stated that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent stated that the petitioner found in possession of 2150 kgs of PDS rice with intention to transport it illegally. He further submitted that the petitioner is an habitual offender and four previous cases pending against him. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Taking into consideration the facts and circumstances and the submissions made by the learned counsels, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the conditions that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned 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 the respondent Police **on everyday at 10.30 a.m., until further orders;**

[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.



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[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.

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To

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



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K. KUMARESH BABU. J.

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