



WEB COPY



Crl.O.P.No.12426 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12426 of 2024

Muniraj

...Petitioner/Accused No.6

Vs.

State by:-

The Inspector of Police,
CSCID Police Station,
Krishnagiri District
(Crime No.89/2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with Crime No.89 of
2024 on the file of the respondent police.

For Petitioner : M/s.P.M.Jayachandran

For Respondent : Mr. R.Vinoth Raja
Government Advocate (Crl.Side)



Crl.O.P.No.12426 of 2024

WEB COPY

ORDER

The petitioner, 6th accused herein was arrested on 03.05.2024 and remanded to judicial custody on the same day for the offence committed under Section 6 (4) of TNSC (RDCS) Order 1982 r//w 7(i) a (ii) of E.C. Act 1955, in Crime No.89 of 2024, registered on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 7200 Kgs of PDS rice. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the 4th accused has been granted bail by this Court on 16.05.2024 in Crl.O.P.11900 of 2024. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police also confirms the same and submitted that the value of the PDS rice which was attempted to be smuggled is approximately Rs.40,000/- (Rupees Forty Thousand Only). Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No.12426 of 2024

WEB COPY

5. Heard the learned counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and considering the fact that the 4th accused has been granted bail by this Court on 16.05.2024 in Crl.O.P.No.11900 of 2024, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.89 of 2024 before the learned Judicial Magistrate No.1, Krishnagiri and on such deposit 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 the learned Judicial Magistrate No. I, Krishnagiri and on further conditions that:-



Crl.O.P.No.12426 of 2024

[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 daily 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.

[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 .

23.05.2024

dk



Crl.O.P.No.12426 of 2024

WEB COPY

Note:

- 1.Registry is directed to forthwith upload this order in the official website of this Court.
- 2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

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



WEB COPY



Crl.O.P.No.12426 of 2024

C.SARAVANAN.,J.
dk

Crl.O.P.No.12426 of 2024

23.05.2024