



CRL OP(MD). No.11808 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11808 of 2024

Wilson,

... Petitioner/ Accused 3

Vs

The Inspector of Police,
Civil Supplies CID,
Tirunelveli District.
Crime No.207 of 2024.

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime no. 207 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 22.07.2024 for the offences punishable under Section 6(4) of TN Scheduled Commodities (RDSCS) Order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities



CRL OP(MD). No.11808 of 2024

Act, 1955 in crime No.207 of 2024 on the file of the respondent police, seeks bail.

WEB COPY

2.The case of the prosecution is that the petitioner herein has illegally transported 3,500 kgs of PDS rice worth about Rs.60,000/- and the same has been recovered. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 22.07.2024, hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner herein is having 2 previous cases and the co-accused already released on bail and the investigation of the case is pending.

5.Considering the submissions made by the learned counsel on either side and also considering the period of incarceration and that the co-accused already released on bail, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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.II, Thirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the



CRL OP(MD). No.11808 of 2024

WEB COPY

surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
26/07/2024

/ TRUE COPY /

26/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE JUDICIAL MAGISTRATE NO.II,
THIRUNELVELI.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.11808 of 2024

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

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

ORDER IN
CRL OP(MD) No.11808 of 2024
Date :26/07/2024

SA/SAR. /26.07.2024/4P/6C

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