



CRL OP(MD)No.11937 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29.07.2024

PRESENT

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

CRL OP(MD)No.11937 of 2024

Jegan

... Petitioner / Accused No.2

Vs

The Sub-Inspector of Police,
CSCID Police Station,
Kuzhithurai at Nagercoil,
Kanyakumari District.
(Crime No.136 of 2024)

... Respondent / Complainant

For Petitioner : Mr.SC.Herold Singh, Advocate

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr No.136 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 05.07.2024
for the offence punishable under Section 6(4) of the Tamil Nadu Scheduled



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Commodities (RDCS) Order 1982 and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Cr.No.136 of 2024 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 15,500 kgs of PDS rice. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 05.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. However, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner, 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.III, Nagercoil, Kanyakumari District.



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[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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, for a period of four weeks and thereafter as and when required for interrogation;

[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 Judicial 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].

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

sd/-
29/07/2024

/ TRUE COPY /

29/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS



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To

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1.The Judicial Magistrate No.III,
Nagercoil, Kanyakumari District.

2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Sub Inspector of Police,
CSCID Police Station,
Kuzhithurai at Nagercoil.
Kanyakumari District.

4.The Officer Incharge,
District Jail, Nagercoil.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-8810[I] dated 29/07/2024)

ORDER

IN

CRL OP(MD) No.11937 of 2024

Date :29/07/2024

ED/ /SAR- (29/07/2024) 4P / 7C

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