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CrI.O.P.No.4995 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.4995 of 2025

Muthu Kumaran

...Petitioner/Accused 1

Vs.

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai Zonal Unit,
No.27, G.N.Chetty Road,
T.Nagar, Chennai – 600 017.

(R.R.No.01 of 2025)

... Respondent

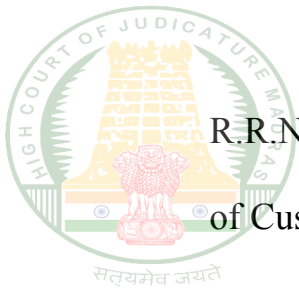
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in R.R.No.01 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.N.P.Kumar
Special Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.01.2025, seeking bail in



R.R.No.01 of 2025 registered for the offence under Sections 135 and 135A of Customs Act.

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2.It is the case of the prosecution that the petitioner along with the other accused had illegally transported 5,536 kgs of red sanders logs to Chennai; that the accused concealed the red sanders logs in M-sand and transported the same in a Tipper lorry to Chennai for further export. 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 and that there is no previous case against the petitioner and co-accused has been released on bail by this Court in CrI.O.P.No.3750 of 2025 and the petitioner has been in custody from 04.01.2025 and hence, further custody of the petitioner is not required.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and filed a counter affidavit giving details of the offences committed by the petitioner and submitted that the contraband has been seized and there is no previous case against the petitioner.



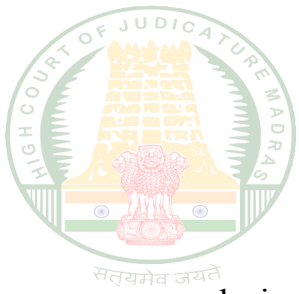
5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record.

6. Considering the period of incarceration, the fact that the contraband has been seized, no previous case is pending against the petitioner and co-accused has been released on bail by this Court in CrI.O.P.No.3750 of 2025 and since further custody of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Additional Chief Metropolitan Magistrate (E.O.II), Egmore, Chennai**, 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, 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;

[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]***;

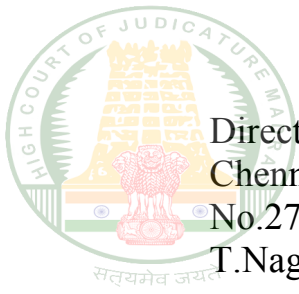
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.02.2025

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Copy to:

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2.The Additional Chief Metropolitan Magistrate (E.O.II), Egmore, Chennai.

3.Central Prison, Puzhal.

3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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