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Crl.O.P.No.6046 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6046 of 2025

1.Nagaraj

2.Ramamoorthy

...Petitioners/Accused 1 & 2

Vs.

State rep by
The Inspector of Police,
CSCID Chennai Unit (North),
Chennai.

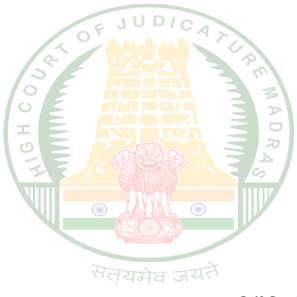
(Crime No.37 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.37 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Premanandhan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 06.02.2025, seeking bail in Crime No.37 of 2025 registered for the offence under Section 6(4) of TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of E.C Act, 1955.

2.It is the case of the prosecution that the petitioners were found to be in illegal possession of 2250 kgs of PDS rice. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and that the contraband has been seized and in any case, considering the period of incarceration suffered by the petitioners from 06.02.2025, they may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are two previous cases against A1 and three previous cases against A2 and that the contraband has been recovered.

5.Heard the learned counsel appearing for the petitioners and the



learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

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6.Considering the nature of allegations, period of incarceration, the fact that the petitioners are on bail in all the other previous cases, the contraband has been seized and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions:

7.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **VI Metropolitan Magistrate, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;



[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

04.03.2025

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Copy to:

1.The Inspector of Police,
CSCID Chennai Unit (North),
Chennai.



2.The VI Metropolitan Magistrate, Egmore, Chennai.

3.The Superintendent of Prison,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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