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CRL OP No. 21707 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 21707 of 2026

Mohamed Aliyar

..Petitioner

Vs

State Rep. by
The Inspector of Police,
CSCID Chennai North Unit Police Station,
Chennai. Crime No.310 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.310 of 2026 on the file of respondent police.

For Petitioner: Mr.V.Manimaran

For Respondent: Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2026 for the alleged offences under Sections 6(4) of TNSC (RDCS) Order 1982, r/w section 7(l)(a)(ii) of EC Act 1955 in Crime No.310 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 300 kilograms of PDS Rice. Hence, the case was registered.



3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that A2 and A3 have already been released on bail. He would further submit that the petitioner has been in judicial custody since 22.07.2026 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (CrI.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the petitioner has two previous case which are similar in nature.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission of the learned Government Advocate (Criminal Side) that the petitioner has two previous cases which are similar in nature, this Court is able to see that the petitioner is prone to recidivism. However, considering the period of incarceration already undergone by the petitioner since 22.07.2026, and the fact that the quantity involved in the present case is only 300 kgs of PDS rice, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions. At this juncture, the learned counsel for the



petitioner voluntarily undertakes that the petitioner shall deposit a sum of Rs.1,50,000/- as a non-refundable deposit to any welfare scheme, without prejudice to his defence.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned VI Metropolitan Magistrate, Egmore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **The petitioner is directed to make a non-refundable deposit of Rs.1,50,000/- [Rupees One Lakh Fifty Thousand Only] towards the account of M/s.Patient Welfare Society, Anayankadu Road, Vasantha Mill, Singanallur, maintained at Canara Bank, Singanallur Branch, No.2225, Trichy Road, Singanallur, Coimbatore District-641015, bearing SB Account No.110210036953, IFSC Code No.CNRB0016562, MICR No.641015100 and to produce the Bank challan before the concerned Magistrate at the time of executing the bond;**

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;



[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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NSL

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 the official website of this Court will be watermarked and will also have a QR code.

To

1. The VI Metropolitan Magistrate, Egmore.
2. Central Prison, Puzhal.
3. The Inspector of Police, CSCID Chennai North Unit Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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