



CRL OP(MD). No.12735 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Hariharasudhan

... Petitioner/ Accused
Rank Not Known

Vs

The Inspector of Police,
Civil Supplies CID,
Kulithurai,
Kanniyakumari District.
Crime No.155 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Sathish Kumar. K, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.155 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamilnadu Scheduled Commodities (RDSCS) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.155 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1600 Kg of PDS rice worth about Rs.9,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is still pending. However, he fairly conceded that the property was recovered and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that no bad antecedent is reported against the petitioner and the property was recovered from the accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of



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arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.3, Nagercoil, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and 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 daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]; and;

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



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/08/2024

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/ 08 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE
NO.3, NAGERCOIL

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI
DISTRICT AT NAGERCOIL

3. THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID,
KULITHURAI,
KANYAKUMARI DISTRICT,

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-9609[I] dated 07/08/2024)



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ORDER
IN
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Date :05/08/2024

PSP/GS/SAR /14.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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