



CRL OP(MD). No. 17417 of 2024:

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). Nos.17417 and 17548 of 2024

In

CRL OP(MD). No. 17417 of 2024:

Veerapandi @ Veerapandian,

... Petitioner / Accused No.2

Vs.

State of Tamil Nadu rep by its
The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.
(Crime No.250/2024)

... Respondent/Complainant

For Petitioner : M/s.T.Eashwar
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

For Intervenor : Mr.K.Jegamohan



CRL OP(MD). No. 17417 of 2024:

In CRL OP(MD). No. 17548 of 2024:

Mariselvam

... Petitioner / Accused No.3

Vs.

State of Tamil Nadu rep by its
The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.
(Crime No.250/2024)

... Respondent/Complainant

For Petitioner : M/s.Susi Kumar.C
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

COMMON PRAYER :-

For Anticipatory Bail in Crime No.250/2024 on the file of the respondent police.

COMMON ORDER : The Court made the following common order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 318(4) and 303(2) of BNS Act, in



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Crime No.250 of 2024 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners and the other accused cheated the de-facto complainant and committed theft of goods. Hence, the complainant.

3. Heard the learned counsel on either side, and perused the material records of the case.

4. The allegations in this case is that the de-facto complainant is entrusted with the task of transporting PDS rice from the Railway Station at Ramanathapuram to the TNCSC godown. He is supposed to have engaged the first accused as a sub-contractor. The sub-contractor, instead of transferring the rice to the TNCSC godown, in collusion with these accused, have taken the PDS rice to a private godown. Now the rice is said to have been recovered. Considering the huge quantity of this case earlier, this Court was about to dismiss the petition but however, the anticipatory bail petitions, which were filed in respect of A2 and A3, was withdrawn. Thereafter, it can be seen that the sub-contractor, who is the prime accused in this case, namely Kumar, has been granted anticipatory bail by the



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learned Principal Sessions Judge, Ramanathapuram on 20.09.2024. The petitioners contend that the second accused in this case is the person who supplies the lorry to the A1, and the third accused is the driver of the lorry.

5. In view thereof, when the role played by these petitioners are lesser role than to the A1 and considering the fact that A1 released on anticipatory bail, the petitioners are also enlarged on anticipatory bail with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.I, Ramanathapuram**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 petitioners 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



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card or Bank pass Book to ensure their identity;

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(b) the petitioners 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 the interrogation.

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

(d) the petitioners 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 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]*; and



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

sd/-
21/10/2024

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/11/2024
Sub-Assistant Registrar
(CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate No.I,
Ramanathapuram.
2. Do-Through,
The Chief Judicial Magistrate,
Ramanathapuram.
3. The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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+1 CC to M/s.M.ANANTHA DEVI, Advocate (SR-12963[I] dated 23/10/2024)

+1 CC to M/s.S.SUSI KUMAR, Advocate (SR-12964[F] dated 23/10 /2024)

ORDER
IN

CRL OP(MD). Nos.17417 and 17548 of 2024

Date : 21.10.2024

SI/MMS/ **-(15.11.2024) 7P/ 7C**

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.