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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/10/2024
PRESENT
The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.17928 of 2024

Manibarathi, ... Petitioner/Accused No.3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Virdhunagar Police Station,
Virdhunagar,
Cscid- Madurai District.
Crime No.178/2024. ... Respondent/Complainant

For Petitioner : M/s. Selvakrishnan.S,
Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.178 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDSC) Order, 1982, 7(1)(a)(ii) of EC Act, 1955, in Cr.No.178 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused were

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found in illegal possession of 3200 kgs of PDS rice. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the rice, which meant for public distribution was transported to the vehicle and the petitioner was implicated in the said case being the owner of the vehicle and the petitioner filed an affidavit of undertaking before this court that he is not claiming any ownership in respect of the vehicle bearing Reg.No.TN-72-CA-5078, which is involved in the present crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Since the petitioner does not claim ownership in respect of the vehicle, the further proceedings in respect of the vehicle shall be undertaken in accordance with law.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.1, Virudhunagar, 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

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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 two 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;

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

sd/-
23/10/2024

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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate No.1,
   Virudhunagar.

2.Do Through
   The Chief Judicial Magistrate No.1,
   Virudhunagar at Srivilliputhur.

3.The State Rep.by.
   The Inspector of Police,
   Virdhunagar Police Station,
   Virdhunagar, CSCID- Madurai District.

4. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.17928 of 2024
Date :23/10/2024

KVL/14.11.2024 4P/5C

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