



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18804 of 2024

Marimuthu,
S/o. Jeyaraj,

... Petitioner/ Accused No.4

Vs

State of Tamil Nadu,
The Inspector of Police,
Virudhunagar
Police Station, Virudhunagar, Cscid-
Madurai District, Cr.No.178/2024.

... Respondent/ Complainant

For Petitioner : S.Selvakrishnan,
Advocate.

For Respondent : Mr.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/ A4, who apprehends arrest at the hands of the respondent police

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

for the offences punishable under sections 6(4) of TNSC (RDSC) Order 1982 & 7(1)a



(ii) of EX Act, 1955 in Crime No.178 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were illegally found in possession of 3200 Kgs of PDS rice. Hence, the case was registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him.

4. Heard the learned Additional Public Prosecutor(Cri.Side) appearing for the respondent.

5. Considering the nature of allegation in this case that the prime accused is found to be in possession of 3200 kgs of PDS rice and the allegation against this petitioner is that he has also collected from the ration card holders and similarly situated accused having been granted anticipatory bail, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

/ TRUE COPY /

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

TO



2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR POLICE STATION,
VIRUDHUNAGAR, CSCID-MADURAI DISTRICT,

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

+1. CC to S.SELVAKRISHNAN Advocate SR.No.13504

ORDER
IN
CRL OP(MD) No.18804 of 2024
Date :29/10/2024

MGJ(06.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023