



CRL OP(MD). No.19123 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 06.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Shiek Mydeen

2.Sittiq Ali

3.Nijam Mohammed @ Mohammed Nissam

4.Munna Mohammed

5.Arundass

... Petitioners/ Accused 1 to 3,5 & 8

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

CSCID Unit,

Tirunelveli Police Station.

(Crime No.370 of 2024)

... Respondent/Complainant

For Petitioners : M/s.Susi Kumar.C,  
Advocate

For Respondent : Mr.A.Albert James,  
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.370/2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 6(4) r/w 7(1)(a)(ii) of EC Act, 1955, in Crime No.370 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that 294 bags of PDS rice containing 11,760 Kgs was seized from a vehicle which was intercepted and A4 and A6 were arrested. Based on their confession, the involvement of the other accused was also ascertained. There are totally 10 accused persons in this case and the petitioners have been arrayed as A1 to A3, A5 and A8.

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

4. The learned Government Advocate (Criminal Side), on instructions, submitted that A1, A2 and A5 have previous cases against them which are similar in nature. He further submitted that the entire PDS rice was seized and A4 and A6 were arrested and later released on bail.

5. Taking into consideration the facts and circumstances of the case and also the fact that the entire PDS rice has been recovered, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court-II, Tirunelveli, on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police every Monday and Friday at 5.30 p.m. for a period of 4 weeks and thereafter, as and when required for 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by



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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/-  
06/11/2024

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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 Court-II,  
Tirunelveli.
- 2.Do Through  
The Chief Judicial Magistrate,  
Tirunelveli.
3. The Inspector of Police,  
CSCID Unit,  
Tirunelveli Police Station.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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ORDER  
IN  
CRL OP(MD) No.19123 of 2024  
Date : 06.11.2024

SL(25.11.2024)/ 5P/ 5C

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