



CRL OP(MD). No.19201 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19201 of 2024

1.Moorthi @ Eswaramoorthy

2.Praveen @ Palani Praveen

... Petitioners / Accused 1 & 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
CS CID Police Station,
Thoothukudi District.
(Crime No.183 of 2024)

... Respondent/Complainant

For Petitioners: M/s.Jeya Aron Raja.J,
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.183/2024 on the file of the respondent police.



CRL OP(MD). No.19201 of 2024

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) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of EC Act, 1955, in Crime No.183 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons had transported 15 bags of PDS rice, containing 40 kgs each, totally 600 kgs. There are totally 3 accused persons in this case and the petitioners have been arrayed as A1 and A2.

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

4. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioners have some previous cases against the petitioners and the entire rice has now been seized by the respondent police, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of 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-IV, Thoothukudi, 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



CRL OP(MD). No.19201 of 2024

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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 are directed to deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) each to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the petitioners shall report before the respondent Police every Monday and Friday at 5.30 a.m., for a period of 8 weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD). No.19201 of 2024

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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 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].

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

sd/-
07/11/2024

/ TRUE COPY /

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

PAL
TO
1 THE JUDICIAL MAGISTRATE NO.IV,
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI.

3 THE INSPECTOR OF POLICE,
CSCID POLICE STATION,
THOOTHUKUDI DISTRICT.

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



CRL OP(MD). No.19201 of 2024

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THE OFFICER INCHARGE,
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MADRAS HIGH COURT MADURAI BENCH,
MADURAI-625 023

+1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-13698[I] dated 07/11/2024)

ORDER
IN
CRL OP(MD) No.19201 of 2024
Date :07/11/2024

SA/SAR. /23.11.2024/5P/7C

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