



CRL OP(MD). No.20701 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20701 of 2024

Rajkumar, ... Petitioner/ Accused rank not known
Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Madurai Police Station,
CS CID- Madurai
(Crime No. 325 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh,
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. 325 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the respondent Police for the offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS), 1982 r/w 7(1)(a)(ii) of EC Act, 1955 in Crime No.325 of 2024, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on 20.11.2024 at about 03.30 p.m., when the Police was in a regular picketing duty, a vehicle was intercepted and it was found to carry 2360 kgs of PDS rice. There are totally four accused persons in this case and the petitioner has been arrayed as Accused No.3.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the entire PDS rice and vehicle have been seized and Accused No.1 has been arrested in this case and there are no previous cases pending against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period



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of fifteen days, this order shall stand automatically cancelled;

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[b] the petitioner 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 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 269 of BNS 2023.

sd/-
27/11/2024

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/12/2024

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

TSG



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 - 3 THE INSPECTOR OF POLICE,
MADURAI POLICE STATION,
CS CID - MADURAI,
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.DINESH, Advocate (SR-14582[I] dated 27/11/2024)

ORDER
IN
CRL OP(MD) No.20701 of 2024
Date :27/11/2024

SS/GSV/SAR- /05/12/2024/ 4P/6C

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