



CRL OP(MD). No.20928 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Sheik Mydeen

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
CSCID Unit,Madurai,
Tirunelveli District.
(Crime No.359 of 2024)

... Respondent / Complainant

For Petitioner : Mr.C.Susikumar,
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. 359 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDSCS) Order 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.359 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the Ashok Leyland Lorry that was driven by A1 was intercepted and on being checked, it was found that 1920 kgs of PDS rice was illegally transported. A1 was arrested and the PDS rice and the vehicle were seized. The petitioner has been arrayed as A2 based on the confession given by A1.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that there are 4 previous cases against the petitioner of similar nature and this petitioner has been added as an accused based on the confession of A1.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner.

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



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6. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has been arrayed as an accused based on the confession of co-accused and the PDS rice and the vehicle have already been seized and taking note of the fact that there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.II, Tirunelveli, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[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 on every Monday



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and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

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[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 269 of BNS, 2023.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024

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

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TO

1. THE JUDICIAL MAGISTRATE COURT NO.II, TIRUNELVELI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

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



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3. THE INSPECTOR OF POLICE,
CSCID UNIT,
MADURAI,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.C.SUSIKUMAR, Advocate (SR-14877[I] dated 03/12/2024)

ORDER
IN
CRL OP(MD) No.20928 of 2024
Date :29/11/2024

RK/VR (05/12/2024) 5P / 6C

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