



Crl.O.P.(MD) No.22891 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD) No.22891 of 2024

Murugavel

... Petitioner/ Accused
(rank not known)

-VS-

The State of Tamil Nadu
rep.by the Inspector of Police
Civil Supplies CID
Virudhunagar
(Crime No.220 of 2024)

... Respondent / Complainant

PRAYER: Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest or surrender in Crime No.220 of 2024, on the file of the respondent – Police.

For Petitioner : Mr.T.Lenin Kumar, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent – Police for the offences punishable under Sections 6(2)(3)(4) of TNSC (RDCS) Order 1982



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read with 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.220 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 04.12.2024, the Taluk Supply Officer, Thiruchuli, is found to have loading of 67 bags of boiled rice (each bag contain 50 Kgs), 54 bags of raw rice (each bag contain 50 Kgs), 1 bag of wheat weighing 50 Kgs and 24 bags of Dhoor Dhal (each bag contains 49 Kgs) in Ashok Leyland vehicle bearing registration No.TN19 AM4595. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. Only based on the confession statement of the co-accused, the petitioner was implicated in the case and he is a loadman and except loading the contraband in the vehicle, the petitioner has no nexus with the co-accused and the contraband as well as the vehicle have been seized by the respondent – Police.

4. The learned Government Advocate (Crl. Side) appearing for the respondent – Police would submit that on 04.12.2024, the Taluk Supply Officer, Thiruchuli, is

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



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found to have loading of 67 bags of boiled rice (each bag contain 50 Kgs), 54 bags of raw rice (each bag contain 50 Kgs), 1 bag of wheat weighing 50 Kgs and 24 bags of Dhoor Dhal (each bag contains 49 Kgs) in Ashok Leyland vehicle bearing registration No.TN19 AM459. He would further submit that no previous case is pending against the petitioner and he was loading the contraband in the vehicle and the accused 1 to 6 were arrested and they have been released on bail.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged as against the petitioner and also taking into consideration the fact that even as per the prosecution case, the petitioner was engaged as a loadman and no previous case is pending against him and the other accused have been arrested and released on bail and the contraband as well as the vehicle have already been seized, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate No.I, Virudhunagar and on further conditions that:



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[b] the petitioner shall report before the respondent – Police, on all Saturdays at 10.00 A.M. for four weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

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/01/2025

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

krk



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TO:
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1. THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
VIRUDHUNAGAR.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-15938[I] dated 30/12/2024)

ORDER
IN

CRL OP(MD) No.22891 of 2024

Date :27/12/2024

RK/SKN (02/01/2025) 5P / 6C

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