



Crl.O.P.(MD) No.22908 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.22908 of 2024

S.Sriram

... Petitioner / A1

-vs-

The State of Tamil Nadu
rep.by the Inspector of Police
Civil Supplies CID
Madurai
(Crime No.341 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.341 of 2024, on the file of the respondent – Police.

For Petitioner : Mr.T.Lenin Kumar

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

O R D E R

The petitioner / A1, who apprehends arrest at the hands of the respondent – Police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982, read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.341 of 2024, on the file of the respondent police, seeks anticipatory bail.



Crl.O.P.(MD) No.22908 of 2024

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2. The case of the prosecution is that on 15.12.2024, a Mahindra Bolero Van bearing registration No.TN99 D3179 was found to have been loaded with 50 bags of rice (each bag contains 40 kgs). Further, the rice was collected from the family card holders of the locality and was transported by the petitioner. 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 given by the co-accused, the petitioner was implicated in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent – Police would submit that on 15.12.2024, a Mahindra Bolero Van bearing registration No.TN99 D3179 was found to have been loaded with 50 bags of rice (each bag contains 40 kgs). Further, the rice was collected from the family card holders of the locality and was transported by the petitioner. He would further submit that the petitioner is having one previous case and the contraband and the vehicle have been seized by the respondent – Police. The investigation in this case is at initial stage. Hence, he opposed to grant anticipatory bail to the petitioner.



Crl.O.P.(MD) No.22908 of 2024

WEB COPY

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 the petitioner is having one previous case, wherein he was granted bail and the contraband and the vehicle have been seized by the respondent - Police, 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 learned Judicial Magistrate No.III, Madurai, and on further conditions that:

[b] the petitioner shall report before the Inspector of Police, Civil Supplies CID, Dindigul, daily for thirty days 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.



Crl.O.P.(MD) No.22908 of 2024

[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

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KRK
TO

- 1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



Crl.O.P.(MD) No.22908 of 2024

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COPY TO:

THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID, DINDIGUL.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-15935[I] dated 30/12/2024)

ORDER
IN
CRL OP(MD) No.22908 of 2024
Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/7C

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