



CRL OP(MD). No.22969 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.22969 of 2024

Senthil Kumar

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu rep. by
The Inspector of Police,
Madurai Police Station,
CS CID – Madurai
(Crime No.340/2024)

... Respondent/ Complainant

For Petitioner : Mr.K.Dinesh
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.340 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, who apprehend arrest at the hands of the



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respondent for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS), 1982 r/w 7(1)(a)(ii) of EC Act, 1955 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.12.2024 at about 18.00 hrs while the respondent police personnel were on picketing duty on the secret information, they found a Vehicle bearing registration No.TN-41-AB-1197 Mahindra Bolero Pickup and when the same was intercepted, it was nearly 12 while bags of 20 kgs of PDS rice totally to a tune of 240 kgs for illegal transportation. Accordingly, the second was arrested by the respondent police and on his confession, this petitioner has been implicated as accused No.1, Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident and there is no previous case as against the petitioner. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that on 15.12.2024 at about 18.00 hrs while the respondent police personnel were on



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picketing duty on the secret information, they found a Vehicle bearing registration No.TN-41-AB-1197 Mahindra Bolero Pickup and when the same was intercepted, it was nearly 12 while bags of 20 kgs of PDS rice totally to a tune of 240 kgs for illegal transportation. Accordingly, the second was arrested by the respondent police and on his confession, this petitioner has been implicated as accused No.1 and no criminal case is pending against the petitioner and A2 was arrested on 15.04.2024 he has illegally transported the large quantity of PDS rice and hence, he opposed to grant anticipatory bail to the petitioner.

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 against the petitioner, and no previous case is pending against the petitioner and even according to the prosecution, this petitioner has been implicated in this case based on the confession of the co-accused and the co-accused has been arrested and released on bail, 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



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condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)

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with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.3, Madurai, and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for the 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].



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

RJR
TO

- 1 THE JUDICIAL MAGISTRATE NO.3
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.

ORDER
IN

CRL OP(MD) No.22969 of 2024
Date :27/12/2024

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

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