



CRL OP(MD). No.23045 of 2024

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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.23045 of 2024

Saravanakumar

...Petitioner/2nd Accused

Vs

The State of Tamil Nadu rep. by
The Inspector of Police,
Civil Supplies CID,
Sivagangai.
(Crime No.294/2024)

.. Respondent/Complainant

For Petitioner : Mr.Lenin Kumar
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.294 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/Accused No.2, who apprehends arrest at the hands of the respondent for the offences punishable under Section 6(4) of TNSC (RDCS) Order 1982, r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.12.2024, when the respondent police was on surveillance, a TATA ACE Vehicle bearing Registration No.TN-64-U-7893 was found to be loaded with 35 bags rice(each contains 40 kgs). The petitioner collected the rice from the family card holders of the locality and transported the same in his vehicle. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he is no way connected in this case and only based on the confession of co-accused, the petitioner has been implicated in this case. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) fairly submits that the petitioner is having no previous case and at the time of the surveillance of the



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respondent police, the petitioner was in a possession of 35 bags rice(each contains 40 kgs). 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, that the quantity involved in this case and there is no previous case against the petitioner and even according to the prosecution, only based on the confession statement of co-accused, this petitioner has been implicated in this case and the co-accused was already secured by the 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 for a like sum to the satisfaction of the Judicial Magistrate No.I, Sivagangai, 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.



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[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

/ TRUE COPY /

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

RJR

To

1.THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI



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

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-15937[I] dated 30/12/2024)

ORDER
IN
CRL OP(MD) No.23045 of 2024
Date :27/12/2024

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

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