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Crl.O.P.No.44 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.44 of 2025

Kumar

... Petitioner

Vs

The State rep by
The Inspector of Police,
CSCID Police Tirupattur,
Tirupattur Unit,
Tirupattur District
Crime No.284 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on
anticipatory bail in the event of his arrest by the respondent Police in Crime
No.284 of 2024 on the file of the respondent police.

For Petitioner : Mr.K.Sathish Kumar

For Respondent : Mr.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.284 of 2024 registered
for the offences punishable under Sections 6(4) of TNSC (RDCS) order 1982



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r/w Section 7(1) (a) (ii) of E.C. Act, 1955, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.15,000/- to any welfare scheme of the Government or any other organization and is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner was found to be in illegal possession of 1050 Kgs of PDS Rice. He further submitted that he has one previous case pending him.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of the "District Revenue Officer, Vellore, Vellore District" without prejudice to the right of defence before the Trial Court



and making it clear that it would not amount to admission of guilt.

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5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Vellore, Vellore District, 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 everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during



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investigation or trial.

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[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

09.01.2025

Index : Yes/No

Internet : Yes/No

dpq

To

1. The Inspector of Police,
CSCID Police Tirupattur,
Tirupattur Unit,



Tirupattur District

2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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