



Crl.O.P.No.1563 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1563 of 2025

Prakash

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CSCID, Tiruvallur Police Station
(Crime No.448 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in
connection with Crime No.448 of 2024, pending investigation on the file of the
respondent Police.

For Petitioner : Mr.Balaji Sankara Moorthy

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.448 of 2024 registered for
the offences punishable under Sections 6(4) TNSC (RDCS) Rules, 1982 r/w
Section 7(1)(a)(ii) of Essential commodities Act, 1955, is on board for
consideration.



Crl.O.P.No.1563 of 2025

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2. The incarceration of the petitioner being from 04.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He submits that the petitioner is not the owner of the contraband or the vehicle. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/-, to any welfare scheme of the Government or any other organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Additional Public Prosecutor appearing for the respondent police, opposing for grant of bail, is that the accused was found to be in illegal possession of 4,000 Kgs of PDS Rice worth about Rs.22,600/-. He further submits that the petitioner has got four previous cases.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, to the credit of **District Revenue Officer, Thiruvallur District**, without prejudice to the right of defence before the Trial



Crl.O.P.No.1563 of 2025

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

5. Further, having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail on him executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Tiruvallur**, and on further conditions that:

[a] 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 abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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Crl.O.P.No.1563 of 2025

A.D.JAGADISH CHANDIRA.,J.

Anu

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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

23.01.2025

Anu

To

1. The Judicial Magistrate No.1, Tiruvallur

2. The Inspector of Police,
CSCID, Tiruvallur Police Station

3. The Superintendent,
Sub Jail, Tiruvallur

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1563 of 2025