



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 28.01.2025

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THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.1628 of 2025

Karunaithirumurugan @ Karunakaran Petitioner

Vs

The SubInspector of Police,
Namakkal CSCID Police Station
CSCID, Chennai.
(Crime No.15/2025)

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail the event of his arrest in the above case in Crime No. 15 of 2025 dated 15.01.2025, registered for the alleged offences punishable under Sec.6(4) & 7(1)(a)(iii) of the Scheduled Commodities (RDCS) Order, 1982, Essential Commodities Act, 1955, pending investigation on the file of the respondent police.

For Petitioner : Mr.K.A.Mariappan

For Respondent : Mr.S.Santhosh
Government Advocate (CrI.Side)

ORDER



Apprehending arrest in connection with Crime No.15 of 2025

registered for the offences punishable under Sections 6(4) & 7(1)(a)(iii) of the Scheduled Commodities (RDCS) Order, 1982, Essential Commodities Act, 1955, the present petition has been filed 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 would submit that without prejudice to the defence and contention, he is ready and willing to deposit a sum of Rs.20,000/- as non-refundable deposit to any welfare scheme of the Government or any 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 put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner has illegally purchased 2025 Kg of PDS rice, worth about Rs.12,000/-, from the ration shop and sold it at a higher price to the poultry farm. He would submit



that the petitioner has two previous cases pending against him.

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4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

5. Taking into consideration the voluntary submission made by the petitioner offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of the District Revenue Officer, Namakkal District, without prejudice to his rights and contentions before the trial Court.

6.It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting his guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

7.Accordingly, the petitioner shall make a non refundable deposit



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of **Rs.20,000/- (Rupees Twenty Thousand only)** by way of Demand

Draft/RTGS/NEFT to the credit of the **District Revenue Officer,**

Namakkal District, and on such deposit and on receipt of proof of

payment, the petitioner 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.II, Namakkal, 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 said

Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks, thereafter on every Saturday at 10.30 a.m. until further orders;

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

[d] the petitioner shall not abscond either during investigation or trial;



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[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 absconds, a fresh FIR can be registered under Section 269 of BNS.

28.01.2025

Index : Yes/No
Internet : Yes/No
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To

1.The Sub Inspector of Police,
Namakkal CSCID Police Station
CSCID, Chennai.

2.The Public Prosecutor,
High Court, Madras.

A.D.JAGADISH CHANDIRA, J,

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