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Crl.OP.No.3438 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.3438 of 2025

Naveen @ Nagaraj

... Petitioner /Accused - 1

Vs.

The State rep. by
The Inspector of Police,
Pollachi – CSCID.

... Respondent/ Complainant

(Crime No.26 of 2025)

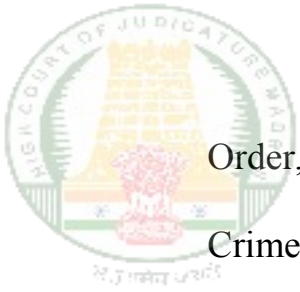
Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of arrest in Crime No.26 of 2025 by the respondent Police.

For petitioner : Mr.S.Selvakumar

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 6(4) of TNSC (RDCS)



Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.26 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with the other accused, was found in illegal transportation of 4000 Kgs of PDS rice in Ashok Leyland Dhosth vehicle bearing Registration No.TN-37-CD-7590. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the contraband was seized and that four previous cases are pending against the petitioner. He would further submit that A2, who is the brother of this petitioner, was already arrested.



5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is ready and willing to deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit to any welfare scheme of the Government or any other organization.

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

7. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to “District Legal Services Authority, Coimbatore”, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

8. Considering the nature of allegation; the petitioner is willing to deposit an amount of Rs.10,000/- as non-refundable deposit to any welfare



scheme; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is directed to make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) directly to the credit of “District Legal Services Authority, Coimbatore”, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 copy of this order, before the **Judicial Magistrate Court – IV, Coimbatore**, on condition that the petitioner shall execute a bond for 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] 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;

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[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 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*** reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12.02.2025

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To

1. The Inspector of Police, Pollachi – CSCID.
2. The Public Prosecutor, Madras High Court, Chennai.
3. The Judicial Magistrate Court – IV, Coimbatore.



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SUNDER MOHAN, J.

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