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CRL O.P. No.3645 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3645 of 2025

Sanoop.K.M. S/o. Meeran

... Petitioner /Accused No.1

Vs

State rep. by:-

The Inspector Of Police,
Civil Supplies CID,
Pollachi, Coimbatore District.
[Cr. No.23 of 2025]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Crime No.23 of 2025 on the file of the respondent police.

For Petitioner : Mr. Thangavel. Ma.P.

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused No.1, who apprehends arrest in the hands



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of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order of 1982 read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in connection with the case in Crime No.23 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 19.01.2025, based on the secret information, the respondent found a vehicle Mahindra Nisanth bearing Registration No.KL57-A-1744 transporting 3,500 kgs of PDS rice illegally without prior permission.

3. Learned counsel for the petitioner would contend that the materials and vehicle were seized; that the petitioner is an innocent and he has not committed any offence; that he has no previous cases; that he is neither a owner nor driver of the vehicle; that he has been implicated in this case as an accused based on the confession statement of co-accused; and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), per contra,



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would submit that the respondent police seized the materials and admitted that no previous case is pending against the petitioner and A2 was arrested and granted bail.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the fact that no previous case is pending against the petitioner, that he is sought to be implicated based on the confession statement of co-accused and the co-accused was arrested and released on bail, that properties were seized by the respondent police and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days



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from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.IV, Coimbatore 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 conditions 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.

[c] **the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.**

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

[e] the petitioner shall not abscond either during investigation or trial.



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[f] 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].

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

13.02.2025

mjs

To

- 1.TheJudicial Magistrate No.IV, Coimbatore District
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Civil Supplies CID, Pollachi, Coimbatore District.

SUNDER MOHAN. J.,

mjs



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