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Crl OP No.4539 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4539 of 2025

1. Suresh @ Suresh Babu
2. Jayaprakash
3. Muniyamma

... Petitioners

Versus

State rep.by
Sub Inspector of Police,
CSCID-Thiruvallur Police Station,
Thiruvallur District.
Crime No.55 of 2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S, 2023, to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.55 of 2025 on the file of the respondent police.

For petitioners : Mr.V.Manimaran

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6 (4) of TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of Essential



Crl OP No.4539 of 2025

Commodities Act, 1955 in Crime No.55 of 2025, on the file of the respondent police seek anticipatory bail.

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2. The case of the prosecution is that the petitioners along with others were found in possession of 22 bags of PDS rice.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocents; that they have been falsely implicated in this case and prayed for anticipatory bail for the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the petitioners have no bad antecedents.

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

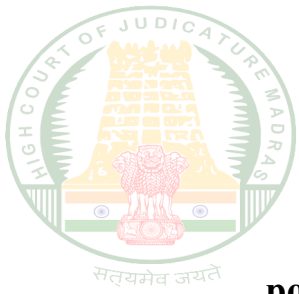


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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband was seized, the fact that the petitioners have no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate I, Thiruvallur**, on condition that the petitioners shall execute a separate 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 petitioners 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.



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Crl OP No.4539 of 2025

[b] [a] the petitioners shall report before the respondent police station daily at 10.30 a.m., until further orders;

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners 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 petitioners 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.

20.02.2025

Vv

To

1. The Judicial Magistrate-I,
Thiruvallur.
2. The Sub Inspector of Police,
CSCID-Thiruvallur Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Crl OP No.4539 of 2025

SUNDER MOHAN, J.

Vv

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