



Crl.OP.No.5819 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5819 of 2025

Karthi @ Karthik Muthu

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
CSCID, Salem.
(Crime No.52/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.52 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.S.Santhosh
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 TN Schedule
Commodities (RDCS), Order, 1982 & 7(1)(a)(ii) of Essential Commodities



Act, 1955 in Crime No.52 of 2025, seeks anticipatory bail.

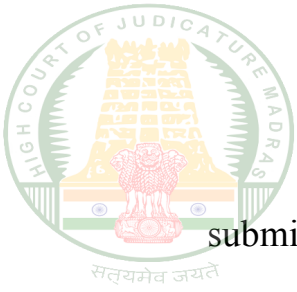
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2. The case of the prosecution is that, on 21.02.2025, based on secret information, the respondent police found that the petitioner along other accused were in possession of 600 kilograms of PDS Rice without any valid licence. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that there are 3 previous cases pending against the petitioner, which are of a similar nature.

5. At this juncture, the learned counsel for the petitioner would

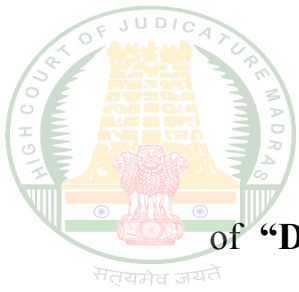


submit that the petitioner, without prejudice to his defence and contention, is ready and willing to deposit an amount of Rs.10,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioner.

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

7.Considering the nature of allegations; the fact that the contraband was seized from the petitioner; the petitioner is willing to deposit an amount of Rs.10,000/- as non-refundable deposit to any welfare scheme; 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 with certain conditions.

8..Accordingly, petitioner is directed to make a non-refundable deposit of **Rs.10,000/-[Rupees Ten Thousand Only]** directly to the credit



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of “**District State Legal Services Authority, Salem District**”, without

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prejudice to the right of the defence 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 on which the order copy is made ready, before the ***Learned Judicial Magistrate No.II, Salem***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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;

[b] the petitioner shall report before the respondent police daily 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.

[e] On breach of any of the aforesaid conditions, the learned



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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 BNS.

03.03.2025

Index : Yes / No
Internet : Yes / No
dpa

To

1.The Inspector of Police,
CSCID, Salem.

2. The Learned Judicial Magistrate No.II,
Salem.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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