



Crl.O.P.No.5896 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5896 of 2025

1.Yuvaraj

2.Prabu @ Pattarai Prabu

...Petitioners/Accused

Vs.

State rep by

The Inspector of Police,

CSCID-Namakkal.

(Crime No.52 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.52 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.Vijayaragavan Marimuthu

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent, seeking anticipatory bail in



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Crime No.52 of 2025 registered for the offence under Section 6(4) of Tamil Nadu Scheduled Commodities Order 1982, and Section 7(1)(a)(ii) of Essential Commodities Act, 1955.

2. The case of the prosecution is that based on a secret information, the respondent and their officials went to the scene of occurrence and found the 1st accused had illegally transported 3200 kgs of PDS rice in Ashok Leyland Dost bearing registration No.TN 30 AM 7421 and on the confession, it is revealed that the petitioners also involved in the alleged occurrence.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they are sought to be implicated as an accused based on the confession of the co-accused; and that in any case, custodial interrogation is not required for the purpose of investigation and sought for anticipatory bail.



4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the petitioners/A2 & A3 have one similar case.

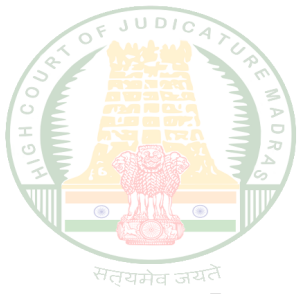
5. At this juncture, the learned counsel for the petitioners submitted that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of any welfare scheme of the Government or any other organization.

6. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of 'District Legal Services Authority, Namakkal District', without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.



7. Considering the nature of allegation; the petitioners are willing to deposit an amount of Rs.10,000/- as non-refundable deposit to any welfare scheme and that custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are directed to make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) directly to the credit of “District Legal Services Authority, Namakkal”, without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are 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 learned **Judicial Magistrate No.II, Namakkal** on condition that the petitioners 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:



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[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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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 B.N.S.

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SUNDER MOHAN, J.

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Copy to:

- 1.The The Inspector of Police,
CSCID-Namakkal.
2. The Judicial Magistrate No.II, Namakkal.
- 3.The Public Prosecutor,
High Court, Madras.

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