



Crl.OP.No.7076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7076 of 2025

Asir Raj

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Krishnagiri Police Station,
CSCID-Chennai District.
(Crime No.57 of 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 arrest in Crime No.57 of 2025 on the file of the respondent Police.

For Petitioner : M/s.R.Vivekananthan

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 Tamilnadu
Scheduled Commodity (RDC) Order, 1982 and r/w Section 7(1)(a)(ii) of the



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Essential Commodities Act, 1955 in Crime No.57 of 2025 seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner along with other accused had illegally transported PDS rice worth about Rs.3,00,000/- without any valid license.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner purchased the rice from the market for valuable consideration by paying GST and that it is not PDS rice; that in any case, custodial interrogation is not required and sought for anticipatory bail.

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 the petitioner is habitual offender and that there are three previous cases pending against the petitioner; that the contraband seized is PDS rice.



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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.2,00,000/- to the credit of crime number and to make considerable donation of Rs.1,00,000/- to any charitable Organization or Association. Hence, he prayed for grant of anticipatory bail to the petitioner.

6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakh only) to the credit of Crime No.57 of 2025** before the **Judicial Magistrate-I, Krishnagiri** and a sum of Rs.1,00,000/- (Rupees One Lakh only) as non-refundable deposit through RTGS/NEFT in favour of the **Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, bearing A/c.No.149710011005477, Andhra Bank, Madhya Kailash Branch**, without prejudice to the right of the defence before the Trial Court and making it clear that it would not amount to admission of guilt.



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Considering the aforesaid facts, the petitioner was granted anticipatory bail in the other cases, the contraband has been seized 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.2,00,000/- (Rupees Two Lakh only)** to the credit of **Crime No.57 of 2025** before the ***Judicial Magistrate-I, Krishnagiri*** and a sum of Rs.1,00,000/- (Rupees One Lakh only) as non-refundable deposit through RTGS/NEFT in favour of the **Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, bearing A/c.No.149710011005477, Andhra Bank, Madhya Kailash Branch** without 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-I, Krishnagiri,***



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.

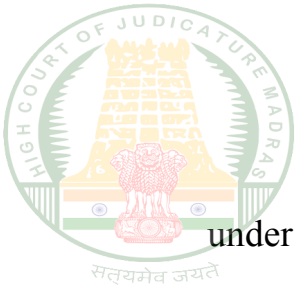
[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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 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



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under Section 269 BNS.

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Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police,
Krishnagiri Police Station,
CSCID-Chennai District.
(Crime No.57 of 2025)

2.The Judicial Magistrate-I,
Krishnagiri.

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

SUNDER MOHAN , J.



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