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CRL OP No. 8541 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8541 of 2025

Pichandi .V
S/o, VEDIYAPPAN,
No.61, Thiruvalluvar Street,
Tiruvannamalai District,
Tiruvannamalai.

Petitioner(s)

Vs

State By, The Inspector of Police,
CSCID Police Station,
Tiruvannamalai District,
Tiruvannamalai.
Crime No. 166 of 2024

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
Anticipatory bail in the event of arrest in Crime No.166 of 2024 on the file of
the Inspector of Police, CSCID Police Station, Tiruvannamalai District.



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For Petitioner(s): Mr.Silambu Selvan S

For Respondent(s): 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 TNSC (RDCS) 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.166 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. This is the second anticipatory bail petition before this Court. The earlier bail petition in Crl.O.P.No.27277 of 2024 was dismissed on 08.11.2024 by Hon'ble Mr.Justice A.D.Jagadish Chandira, and this anticipatory bail petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P. No.31787/2024 on 04.03.2025.

3. The case of the prosecution is that, when the respondent police were on regular patrol duty, they found the petitioner illegal transporting 1000



kilograms of PDS Rice. Hence, this case.

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4. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that the co-accused was arrested and released on bail. Hence, he prayed for anticipatory bail to the petitioner.

5. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that there are previous cases registered between 2016 and 2020 and two cases registered in the year 2024 against the petitioner, and opposed the grant of anticipatory bail to the petitioner.

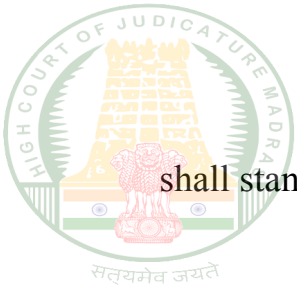
6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.



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7. 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 from the petitioner; that though the earlier petition filed by the petitioner was dismissed on 08.11.2024, the respondent police has not arrested the petitioner so far and since custodial interrogation is not required for the purpose of investigation at this stage, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 from the date on which the order copy made ready, before **the learned Judicial Magistrate No.1, Thiruvannamalai**, on condition that the petitioner 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:

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[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.

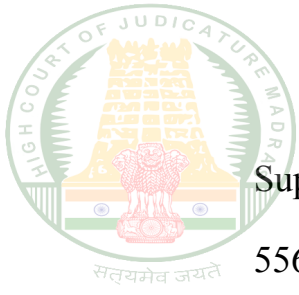
[b]the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the "**District Legal Services Authority, Thiruvannamalai**", without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

[b] the petitioner shall report before the respondent police, everyday 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 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



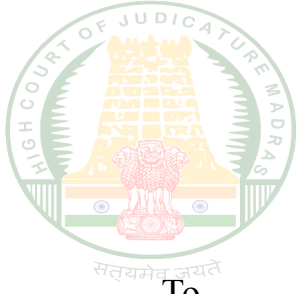
Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW
5560].

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

27.03.2025

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State By, The Inspector Of Police,
CSCID Police Station, Thiruvannamalai
District, Thiruvannamalai.
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SUNDER MOHAN J.

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