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Crl.O.P.No.8727 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8727 of 2025

Kamalakannan
S/o. Venkadesan

....Petitioner/Accused-1

Vs

State represented by
The Inspector of Police,
Chengalpattu CSCID Police Station,
Chengalpattu District.
(In crime No.39/2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No.39 of 2025 on the file of the respondent police.

For Petitioner : Mr. R.Vivekanandan
for Mr.M. Mohamed Saifulla

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



ORDER

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2. The case of the prosecution is that, on 15.03.2025, the petitioner along with the other accused was found in illegal possession 5100 Kgs of PDS rice. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and is no way connected with the said offence; that a false case has been foisted against the petitioner; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the the petitioner has no previous case and that the other co-accused were



arrested and released on bail.

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5. Considering, the fact that the contraband was seized; that the petitioner has no previous case and that the other co-accused had been arrested and released on bail, 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.

6. 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.I, Kancheepuram,** on condition that the petitioner 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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



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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.

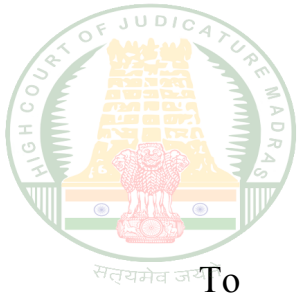
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

26.03.2025

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To
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1. The Judicial Magistrate No.I, Kancheepuram
2. The Inspector of Police,
Chengalpattu CSCID Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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