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Crl.O.P.No.8748 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8748 of 2025

Arumugam
S/o. Kalimuthu

....Petitioner/ Accused 3

Vs

The State represent by
The Inspector Police,
C.S.C.I.D. Police Station,
Nagapattinam
(Cr.No.23 of 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 **in Crime No.23 of 2025**, on the file of the respondent police.

For Petitioner	: Mr. K. Pragadeesh Kumar
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



ORDER

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The petitioner/Accused-3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(2), 6(3) and 6(4) of Tamil Nadu Scheduled Commodities (RDSCS) Order, 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.23 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, on 09.03.2025, the first and the second accused, on secret information, were found illegally transporting 25 sacks of ration rice (totalling 1250 Kgs) and that the first accused had confessed that he used to sell the ration rice in black market through the petitioner. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the petitioner is sought to be implicated only on the confession of the co-accused; that the co-accused had been released on bail and that in any case, custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.



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4. The learned Government Advocate(Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is sought to be implicated on the confession of the co-accused and that the petitioner has no bad antecedents .

5. Considering the nature of allegations, the fact that the contraband was seized from the co-accused, the petitioner is sought to be implicated on the confession of the co-accused, the co-accused had been released on bail, the petitioner has no bad antecedents 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, Nagapattinam**, 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:

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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 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 abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

26.03.2025

bga

To

1. The Judicial Magistrate No.I, Nagapattinam
2. The Inspector Police,
C.S.C.I.D. Police Station,
Nagapattinam
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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