



Crl. O.P. No.8958 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8958 of 2025

1.B.Raji
2.Rajesh
3.Sathish
4.Abdul Rahim
5.Duraipandian

... Petitioner/Accused 1 - 5

Vs.

The State represented by
The Sub Inspector of Police,
CSCID, Ambathur,
Chennai – 600 053.

(Crime No.76 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.76 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.Shaik Mehrunnisa Kasim
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 09.03.2025 seeking bail in Crime No.76 of 2025 registered for the offences under Sections 6(4) of TNSC (RDCS) Order 1982, 7(1)(a)(ii) of EC Act.

2. The case of the prosecution is that the petitioners were found in illegal possession of 60 tonnes of PDS Rice. Hence, the case.

3.Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case; that the contraband was seized and that the petitioners are in custody from 09.03.2025 and hence, they may be released on bail.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the contraband has been seized from the petitioners. He further submitted that the petitioners 1 to 4 have been detained under Tamil Nadu Act 14 of 1982 and the 5th petitioner has no bad antecedents.



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5. Since the petitioners 1 to 4 have been detained under Tamil Nadu Act 14 of 1982, this bail petition is dismissed as against the petitioners 1 to 4. As far as the 5th petitioner is concerned, considering the period of incarceration, the fact that the contraband has been seized, the 5th petitioner has no bad antecedents and since further custody is not required for the purpose of interrogation, this Court is inclined to grant bail to the 5th petitioner alone with certain conditions.

6. Accordingly, the 5th petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court No.1, Thiruvallur.**

[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 5th petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;



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[c] the 5th petitioner shall not abscond either during investigation or trial;

[d] the 5th petitioner 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 5th petitioner in accordance with law as if the conditions have been imposed and the 5th 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

03.04.2025

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To

1. Judicial Magistrate Court No.1, Thiruvallur.
2. The Sub Inspector of Police,
CSCID, Ambathur,
Chennai – 600 053.
3. The Superintendent, Central Prison – II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN, J.
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