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Crl.O.P.No.10830 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.10830 of 2025

Ayub
S/o. Mohammed Rafeek

....Petitioner/Accused - 14

Vs

The State represented by
The Inspector of Police,
CSCID Police Station,
Tiruppur District
(Crime No.378 of 2024)

....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.378 of 2024**, on the file of the
respondent police.

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



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 19(c)(v), 25(1) of the Fertilizer Control Order, 1985 r/w 7(1)(2)(ii) Of the Essential Commodities Act, 1955, in Crime No.378/2024, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had illegally stored paddy and fertilizer.

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that the petitioner is implicated based on the confession of the co-accused; that some of the co-accused have been granted bail by this Court and that in any case custodial interrogation of the petitioner is not required 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 petitioner is implicated based on the confession of the co-accused.

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5. Considering, the nature of allegation against the petitioner, the fact that the contraband was seized from the co-accused, that the petitioner is implicated on the confession of the co-accused and that some of the co-accused have been granted bail by this Court 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.II, Tiruppur**, 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.

15.04.2025

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To

1. The Judicial Magistrate No.II, Tiruppur
2. The Inspector of Police
CSCID Police Station,
Tiruppur District.
3. The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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