



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14930 of 2025

Chikkandhar

...Petitioner/Accused - 3

Vs.

The State rep. by its
The Inspector of Police,
Civil Supply CID,
Pollachi,
Coimbatore District.
(Crime No.142 of 2025)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.142 of 2025 on the file of the respondent police.

For Petitioner : Mr.Camyles Gandhi W

For Respondent : Mr.R.Vinothraja
Government Advocate(Criminal Side)

ORDER



The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6 (4) of TNSC (RDCS) Order 1982, r/w.7(1)(a)(ii) of E.C Act, 1955, in Crime No.142 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A3 along with other accused was found in illegal possession of 1600 Kgs (50kgs X 32 bags each) of PDS Rice. Hence, the case.

3. The contention of the petitioner is that he is A3 in this case. He was employed under A4. A1 and A2, the other co-employees were arrested and granted bail. The employer/A4 was granted anticipatory bail by this Court in Crl.O.P.No.16013 of 2025 dated 28.05.2025. The petitioner/A3 had only executed the order of his employer and he was not aware that he was dealing with PDS Rice.

4. The learned Government Advocate (Crl.Side) for the respondent



police submitted that in this case, the petitioner was employed under A4; that A4 had been granted anticipatory bail by this Court vide its order dated 28.05.2025 in Crl.O.P.No.16013 of 2025 and the other two accused have been arrested and granted bail.

5. Having heard the learned counsel for the petitioner/A3 and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.IV, Coimbatore**, 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 said Magistrate, on further condition that:

[a] the petitioner shall donate 10 bags of rice (each bag containing 50 kilograms) to each of the following orphanages, and produce proof while executing sureties



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1. Mahatma Gandhi Ashram Food, Children Home, Perumal Malai Road, Anaimalai, Pollachi, Coimbatore, Contact No.: 90432 00016,

2. Saranalayam, No.220/241 – Singarampalayam, Kinathukadavu, Pollachi, Coimbatore, Contact No.: 98422 54204,

3. Children Charitable Trust, No.12/17-A Green Garden Extension, Meenakshi Nagar, Kovaipudur, Sundakamuthur Road, Kuniyamuthur, Coimbatore, Contact No.: 95664 74999.

[b] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[c] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[d] the petitioner shall report before the respondent Police daily at 10.30 a.m until further orders;

[e] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall make himself available for interrogation by a Police officer as and when required;



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[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[h] the petitioner shall not abscond either during investigation or trial;

[i] 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes / No

Internet : Yes / No

dk

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Inspector of Police,
Civil Supply CID,
Pollachi,
Coimbatore District.

2.The Judicial Magistrate No.IV,
Coimbatore.

3.The Public Prosecutor,
Madras High Court, Chennai.

M.NIRMAL KUMAR, J.
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