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CrI.O.P.No.15973 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.15973 of 2025

1.Sarath Kumar

2.Ragul

3.Jayanthi

...Petitioners/A1, A4 & A5

Vs.

The State rep by
The Inspector of Police,
C.S.C.I.D. Police Station,
Krishnagiri District.
(Crime No.94 of 2025)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event
of their arrest in Crime No.94 of 2025 pending investigation on the file of the
respondent police.

For Petitioner : Mr.P.M.Jayachandran



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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6 (4) of TNSC (RDCS) Order 1982, r/w.7(i)(a)(ii) of E.C Act, 1955, in Crime No.94 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused were illegally transported 4250 kgs of PDS Rice (50kgs X 85 bags each) in a lorry. Hence, the case.

3. The contention of the petitioner is that the 1st petitioner/A1 is working as driver and 2nd petitioner/A4 is friend of A1. A2 and A3 were arrested and based on the confession of A2, the petitioners were implicated in the above case. He further submitted that the petitioners never received any



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PDS rice from the public and there is no recovery from the petitioners. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police while opposing for grant of anticipatory bail reiterated the prosecution case and submitted that in this case, A1 is the driver cum owner of the lorry. The other accused collecting PDS rice for A1. He further submitted that A2 and A3 were arrested and they are in jail. He further submitted that the 1st petitioner/A1 has got two previous cases and the other petitioners have no previous cases.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Krishnagiri** on condition that the petitioners shall execute a separate 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 1st petitioner/A1 shall donate 40 bags of rice (each bag containing 50 kilograms) to each of the following orphanages, and produce proof while executing sureties

1. Home of Hope Children Home, Calvary Chapel Trust, No.2/157, Nachikuppam Village and Post, Veppanapalli -via- Krishnagiri District – 635 121, E-mail: cchchildrenkpm@calvarychapel-india.org

2. Snegaram Home, Pannapalli Cross, Nachikuppam Village and Post, Veppanapalli -via- Krishnagiri District – 635 121 Contact No.: 7483093801.



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**3. Narkani Home, V.Madeppalli and Post,
Veppanapalli -via- Krishnagiri District – 635 121,
Contact Nos.: 9488304680 & 9629545032.**

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

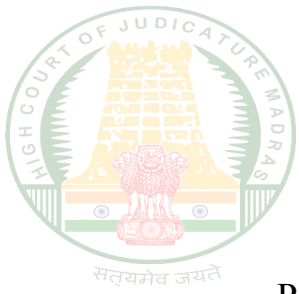
[c] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

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

[e] the petitioners 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 petitioners shall make themselves available for interrogation by a Police officer as and when required;

[g] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for



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Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[h] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

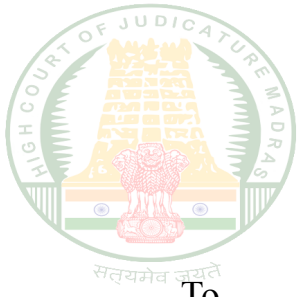
[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes / No

Internet : Yes / No

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To
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- 1.The Inspector of Police,
C.S.C.I.D. Police Station,
Krishnagiri District.
- 2.The Judicial Magistrate No.I,
Krishnagiri.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR, J.

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