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CRL OP No. 16003 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16003 of 2025

Mohan @ Mohanraj

Petitioner/A2

Vs

State rep by the Inspector of Police

CSCID - Thirupathur Police Station,

Thirupathur District. (Crime No. 48 of 2025) Respondent

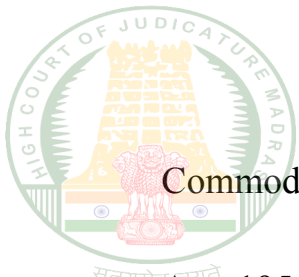
PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail in the event of their arrest in crime No.48 of 2025 on the file of the Inspector of police, CSCID Thirupathur Police Station, Thirupathur, Thirupathur District and thus render justice.

For Petitioner: Mr.Vinodh Kumar

For Respondent: Mr.Vinoth Raja Ga (crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 6(4) of TN Scheduled



Commodities [RDCS] Order, 1982 and 7(1)(a)(ii) of Essential Commodities

Act, 1955, in Crime No.48 of 2025, on the file of the respondent police, seeks

anticipatory bail.

2 The case of the prosecution as per the defacto complainant viz., Nirmala, is that on 14.05.2025 at about 05.20 p.m., based on the secret information, while the respondent police was checking the vehicles near Annapoorna hotel, Green City, she had stopped vehicle bearing registration No. TN 73 AX 0315 and on seeing police authority, the driver of the vehicle/A3 herein has escaped from the scene of occurrence. Further, on search, the petitioner was found in possession of 130 Kgs of PDS Rice. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. However on instruction, he would further submit that without prejudice to his defence, the petitioner is prepared to deposit considerable amount to any charitable Organization or Association. Hence, he prays to grant anticipatory



bail to the petitioner.

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4. The learned Government Advocate (Crl.sde) submitted that the petitioner along with other accused were illegally transporting 130 Kgs of PDS rice without obtaining proper license. He would submit that there is one previous case as against the petitioner. He would further submit that the co-accused/A1 and A3 were granted bail. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

7. Considering the submissions made by the learned counsel appearing on either sides, nature of the allegations and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the

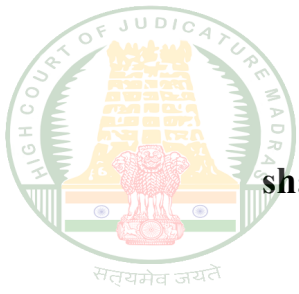


petitioner with certain conditions.

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8. 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-IV, Vellore** 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] **The petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER EDUCATION AND RESEARCH, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the Judicial Magistrate No.IV, Vellore and the receipt**



shall be produced at the time of executing the bond;

[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 identify proofs to ensure their identity;

[d] the petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[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 office as and when required;

[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;



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[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.

12-06-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To
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- 1.State rep by the Inspector of Police
CSCID - Thirupathur Police Station, Thirupathur
District. (Crime No. 48 of 2025)
- 2.The Judicial Magistrate-IV, Vellore.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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