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CrI.O.P.No.18001 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.18001 of 2025

Nalani Kumar

... Petitioner/A3

Vs.

The State of Tamil Nadu,
Rep by The Inspector of Police,
C.S.C.I.D. Tiruvallur,
Chennai.
(Crime No.448 of 2024)

...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 pending investigation in Crime No.448 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Suresh

For Respondent : Mr.V.Meganathan

Government Advocate(Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6 (3) of TNSC (RDCS)



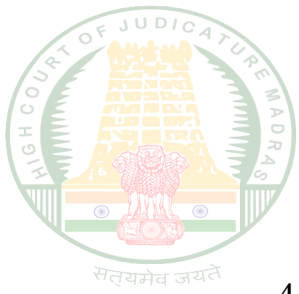
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Order 1982, r/w 7(1)(a)(ii) of E.C Act, 1955, in Crime No.448 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was illegally transported 4000 kgs of PDS Rice (50kgs X 80 bags each) in a tempo vehicle. Hence, the case.

3. The learned counsel for petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that A1 used to buy PDS rice in cheap rate and advised A2 to transport the same to Andhra Pradesh. Based on the confession of co-accused, the petitioner has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, prayed for grant of anticipatory bail to the petitioner.



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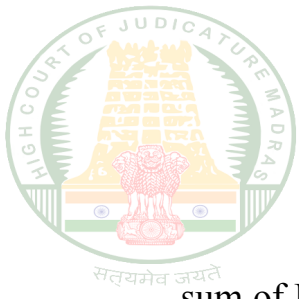
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4. The learned Government Advocate (CrI.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner received the PDS rice from A2. He further submitted that the petitioner has got 11 previous cases and the last case was registered in the year 2024.

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 petitioner with certain conditions.

7. 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.I, Tiruvallur** on condition that the petitioner shall execute a bond for a



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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 and on further condition that:

[a] the petitioner shall donate 20 bags of rice (each bag containing 50 kilograms) to the following orphanages (each 5 bags), and produce proof while executing sureties

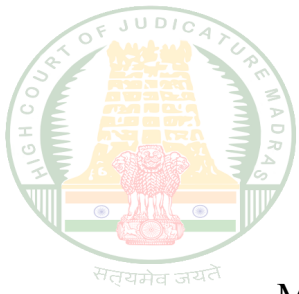
1. Birds Nest Old Age Home, Plot No.106, Masjid Street, Sri Devi Karumariyamman Nagar, Thiruverkadu, Chennai – 77. Contact No.9952643622 E-mail: birdsnestbsadd@gmail.com

2. Anugraha Old Age Home, No.3, Saraswathi Nagar, Thiruninravur, Thiruvallur – 602 024, Contact No.: 9940579022, E-mail: gmsHOME2013@gmail.com

3. St. Thomas Home for the Aged, Queen Victoria Road, Poonamallee, Chennai – 600 056, Contact No.: 7339185223, E-mail: hroder@yahoo.com

4. Thayinkudu Oldage Home, No.41, ICF Nagar Annex, Periyankuppam, Thiruvallur – 631 203, Contact No.: 9677102203, E-mail: jhct2007@gmail.com

[b] if the petitioner fails to surrender before the said



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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;

[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



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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];

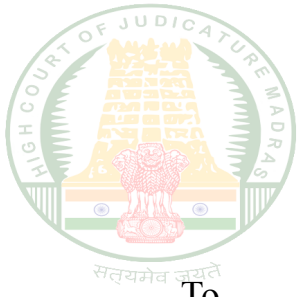
[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index : Yes / No

Internet : Yes / No

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



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M.NIRMAL KUMAR, J.

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