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CRL OP No. 17880 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17880 of 2025

Vijay

Petitioner(s)

Vs

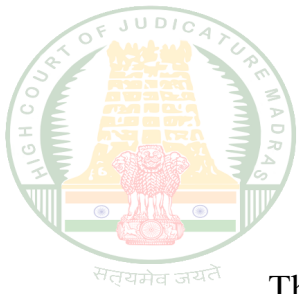
State by,
The Inspector of Police, C.S.C.I.D.
Police Station, Krishnagiri District.
Crime No.109 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime.No.109 of 2025 pending Investigation on the file of the respondent police.

For Petitioner(s): Mr.P.M.Jayachandran

For Respondent(s): M/s. R. Vinoth Raja Ga (crl.
Side)



ORDER

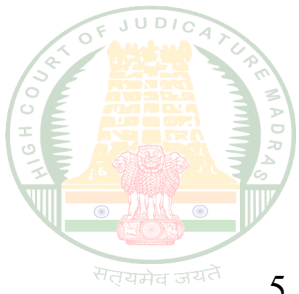
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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of Tamil Nadu Scheduled Commodity (RDCS) Order 1982 r/w Section 7(i)(a)(ii) of Essential Commodities Act, 1955, in Crime No.109 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 5200 Kgs of PDS rice. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He would further submit that he has been falsely implicated in this case and he is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was found in illegal possession of 5200 Kgs of PDS rice. He would further submit that there is one previous case against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. Considering the facts and circumstances of the case and also taking note of the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall donate (1) 5 bags containing 50 kgs of raw rice to ***Swami Charitable Trust, M.G.R.Nagar, Gundumedu, Thirumazhisai, Thiruvallur-600 124, Contact Person – R.Gandhi Swamy, E-Mail Id – swamitrust@yahoo.com, Contract Number – 9444048131.***

(2) 5 bags containing 50 kgs of raw rice to ***St.Thomas home for the aged, Queen Victoria Road, Poonamallee, Chennai-600 056, Contact Person – George Pheniro, Mail Id – hroder@yahoo.com, Contact Number – 7339185223.***

(3) 5 bags containing 50 kgs of raw rice to ***Sri Sai Old age Home, No.72 & 73, 2nd Street, St.Antony Nagar, Annanur, Chennai-600 109, Contact***



Person – Jayalakshmi, E-mail ID – srisailam@gmail.com, Contact No – 9884651026.

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(4) 5 bags containing 50 kgs of raw rice to ***Susilammal Old Age Home, Ponniyammanmedu, Thiruninravur, Thiruvallur, Contact Person – S.Mageswary, E-mail ID – dataudupi@gmail.com, Contact No. - 8939151466*** and on such donation, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before ***the learned Judicial Magistrate-I, Krishnagiri***, and on his executing 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 learned Magistrate concerned and the petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019'].



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The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] 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;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

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

[f] 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;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**



[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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11-07-2025

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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 by,
The Inspector of Police, C.S.C.I.D.
Police Station, Krishnagiri District.
Crime No.109 of 2025

2.The Judicial Magistrate No.I,
Krishnagiri.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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