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CrI.O.P.No.20123 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.20123 of 2025

N.Palanisamy

... Petitioner/Accused

Vs.

The State by
The Inspector of Police,
C.S.C.I.D. Tiruppur,
Tiruppur District.
(Crime No.197 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 pending investigation in Crime No.197 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor



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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 TNSC (RDCS) Order 1982, r/w 7(1)(a)(ii) of E.C Act, 1955, in Crime No.197 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on receipt of secret information, the respondent police seized one TATA van, in which, 223 bags of PDS Rice (each bag 50 kgs.) illegally transported from Coimbatore to Trichy. The driver of the vehicle was arrested, on his confession, a case was registered against the petitioner.

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. The petitioner never placed orders to purchase the said rice. 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



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abide by any stringent condition that may be imposed by this Court. Hence,

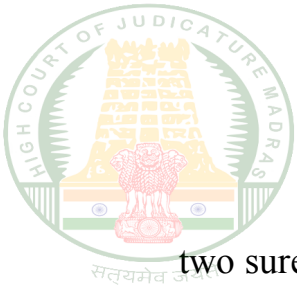
prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

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.II, Tiruppur, Tiruppur District** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with



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two sureties each for a like sum to the satisfaction of the respondent Police or

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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 30 bags of rice (each bag containing 50 kilograms) to the orphanage, namely, Sarvalayam Orphanage, Madamedu Road, Soriyan Kinnathupalayam, Vellakoil, Tiruppur District – 638 111, Contact No.9042140488 and produce proof while executing sureties;

[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 every day at 10.30 a.m for a period of three weeks, thereafter as and when required for interrogation;



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[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 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 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];



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M.NIRMAL KUMAR, J.

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[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

rsi

To

1.The Judicial Magistrate No.II,
Tiruppur, Tiruppur District.

2. The Inspector of Police,
C.S.C.I.D. Tiruppur,
Tiruppur District.

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

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