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Crl.OP.No.25799 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25799 of 2025

Rajendran

... Petitioner

Vs.

State rep by,
The Inspector of Police,
DCB Police Station,
Tiruppur District.
(Cr.No.2 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant anticipatory bail to the petitioner in the event of his arrest in Crime No.2 of 2025 on the file of the respondent police, pending investigation.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest for the alleged offence under Section 316(3) of BNS 2023 in Cr.No.2 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the defacto complainant is the Manager of M/s. Farm India Impex Pvt. Ltd., which is functioning at Koramangala, Bangalore. The said company is engaged in the trading of agricultural products. It procures materials from all over India and supplies them to poultry and cattle feed mills within India as well as globally. For the purpose of supplying materials to its customers, the company used to hire warehouses in various places, including the petitioner's warehouse at Dharapuram. The defacto complainant leased the said premises for storing their products. Though the defacto complainant had his office outside the State, he operated this warehouse through the petitioner, who was entrusted with maintaining records of inward and outward transactions. According to the defacto complainant, a huge quantity of cattle feed was clandestinely taken away by the petitioner and sold without his knowledge. When



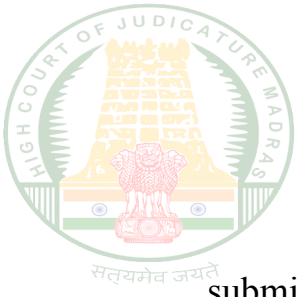
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questioned, the petitioner replied that it was not his responsibility to monitor the quantity or to take care of the stock, and further stated that the weight loss of maize was due to moisture. Hence, the complaint has lodged by the defacto complainant for recovering the missing materials from the petitioner.

3. The learned counsel appearing for the petitioner submitted that this petitioner is an innocent person, he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner had given a false reason for the weight loss of the product, stating that it was due to moisture. Hence, he opposed the grant of anticipatory bail to the petitioner.

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



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6. Considering the facts and circumstances of the case and the submissions made by both counsels, and taking note of the fact that the entire transaction is based on documents, the allegation being that the shortage of products stored in the Weighbridge Warehouse is attributable to the petitioner, and that custodial interrogation of the petitioner is not necessary, I am inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy made, before the **learned Judicial Magistrate-II, Udumalpet** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(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]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

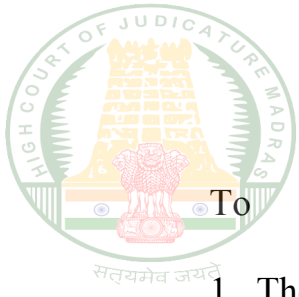
(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.09.2025

Vv



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To

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1. The Judicial Magistrate-II, Udumalpet
2. The Inspector of Police,
DCB Police Station,
Tiruppur District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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