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Crl.OP.No.25917 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25917 of 2025

1. Suresh
2. S.Vaitheki

... Petitioners

Vs.

State rep by
The Inspector of Police,
Erode CSCID Police Station,
Erode District.
(Cr.No.244 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of their arrest in Crime No.244 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.C.S.Saravanan

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 4(1) (a) and 7(1)(c) of Liquefied Petroleum Gas (Regulation of



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Supply and Distribution) Order 2000 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.244 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners joining hands with other accused have transferred the Domestic Gas Cylinder to Commercial Cylinder and sold the same to the various customers at commercial rate. Thereby, the petitioners have misused the domestic cylinders. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocents and they have not committed any such offence as alleged by the prosecution and a false complaint has been lodged against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and reported that A1 and A2 have purchased the Domestic Gas Cylinder from this petitioners, who are working as Delivery Boy and Woman in the Gas Agencies and there are



no previous cases against this petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case, the submissions made by both counsel, the nature of allegations as against these petitioners, there is no previous cases against the petitioners and that the custodial interrogation of the petitioners is not required, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions. .

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate-III, Erode** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners 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;

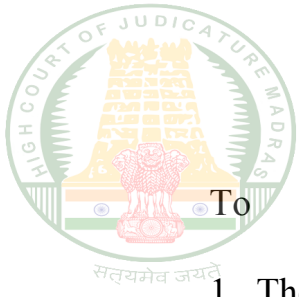
(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

22.09.2025

Vv



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To

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1. The Judicial Magistrate-III, Erode
2. The Inspector of Police,
Erode CSCID Police Station,
Erode District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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