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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29094 of 2025

Hemanth

... Petitioner

Vs.

State By,
The Inspector of Police,
CSCID Thirupattur Police Station,
Tirupattur District.
(Crime No.190 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita., to enlarge the petitioner on bail in Crime No.190
of 2025 on the file of the respondent police.

For Petitioner	: Mr.S.Silambu Selvan
For Respondent	: Mr.S.Udayakumar
	Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 6(4) of Tamil Nadu Schedule Commodities (Regulation and Distribution Through Card System) (TNSC(RDCS)) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.190 of 2025, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that while the respondent police were conducting an inspection, they seized 104 bags of PDS rice, weighing about 5000 kilograms, from a Mandapam. Upon investigation, it was revealed that the petitioner was involved in the illegal storage of rice meant for the Public Distribution Scheme, with the intention of selling it to the general public at a higher price for his personal gain. Hence, this case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that the co-accused was granted bail by this Court in CrI.O.P.No.27384 of 2025. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for the respondent police would submit that the total quantity of PDS rice seized in this case is 5000 kilograms. He would further submit that there is no previous case pending against the petitioner. He would also submit that the co-accused has been released on bail in CrI.O.P.No.27384 of 2025 dated 03.10.2025. However, he opposed to grant bail to the petitioner.



5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the nature of allegations, no previous case reported against the petitioner and the fact that the co-accused who is similarly placed with the petitioner is already granted bail by this Court, hence, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.4, Vellore**, 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 of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] 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]**;

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

27.10.2025

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To

1. The Judicial Magistrate No.4, Vellore.

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2. The Inspector of Police,
CSCID Thirupattur Police Station,
Tirupattur District.
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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