



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.32602 of 2025

Kumar

... Petitioner

Vs.

The State Rep. By,
Station House Officer,
CSCID - Kallakurichi Police Station,
Kallakurichi District.
Crime No.163 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.163 of 2025 on the file of the respondent police.

For Petitioner : Mr.Abdul Samath
For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982 read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.163 of 2025, on the file of the respondent Police, seek anticipatory bail.



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2. The allegation against the petitioner along with accused were involved in illegal transportation of 450 kgs of rice meant for Public Distribution System. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the first accused is known to the petitioner herein and that, without the knowledge of the petitioner, rice was transported by the first accused using the petitioner's vehicle. It is further submitted that the petitioner has not committed any offence and falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that 450 kgs of rice was seized and that the statement recorded from A1 reveals that the petitioner is only the owner of the vehicle and that he had not participated in the procuring or selling of the rice. However, he opposed to grant anticipatory bail to the petitioner.

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



6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the petitioner is only the owner of the vehicle and that he had not participated in the procuring or selling of the rice, 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 fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-I Court, Kallakurichi**, 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 fifteen 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;



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[c] the petitioner shall report before the respondent police daily 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 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.

01.12.2025

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To

1. The Judicial Magistrate-I Court, Kallakurichi.
2. Station House Officer,
CSCID - Kallakurichi Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.32602 of 2025