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Crl.O.P.No.35650 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35650 of 2025

Mahin V Saleem

... Petitioner / Accused No.2

Vs

The State rep. By
The Inspector of Police,
CSCID Coimbatore,
Pollachi Police Station,
Coimbatore District.
(Crime No.403/2025)

... Respondent / Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to enlarge the petitioner on bail in the event of his arrest in Crime No.403 of 2025 pending on the file of the respondent.

For Petitioner : Mr.Arul Alex

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

ORDER

The petitioners / Accused who apprehend arrest in the hands of the respondent police for the offences punishable under Sections u/s. 6(4) of Tamil Nadu Scheduled Commodities (RDCS J ORDER, 1982 and 7(1) (a) (ii) of Essential Commodities Act, 1955 and 311(1), 305 of BNS, 2023, in connection



with Crime No.403 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner illegally transported 50 bags of ration rice. Hence, the case.

3. The learned counsel appearing for the petitioner submits that petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are two previous cases pending against the petitioner. Hence, he strongly opposed to grant bail to the petitioner.

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



6. Considering the rival submissions made by the learned counsel on either side, the nature of the offence, the quantity of material involved in this case and also the fact that though two previous cases are pending against the petitioner, in all cases he was released on bail, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 on which the order copy made ready, before the learned **Judicial Magistrate No.IV, Coimbatore** on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent-police daily at 10.30 a.m., until further orders.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during



investigation or trial.

[e] 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 petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

shl/nsd

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Inspector of Police,
CSCID Coimbatore,
Pollachi Police Station,
Coimbatore District.

2. The Judicial Magistrate No.IV, Coimbatore

3. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.,

shl/nsd

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