



CRL OP(MD). No.2617 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 13/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2617 of 2025

Kuttan @ Krishnadas

... Petitioner/ Accused  
Rank not known

Vs

The State of Tamil Nadu  
rep. by the Inspector of Police,  
Civil Supplies C.I.D,  
Dindigul.  
(Crime No.260 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Azhagesh, Advocate

For Respondents : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.260 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 6(4) of Tamil Nadu Scheduled Commodities [RDCS] Order, 1982 read with Section 7(1)(a)(ii) of Essentials Commodities Act, 1955 in Crime No.260 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 19.11.2024, at about 6.00 p.m., on secret information, when the respondent-police were conducting vehicle check-up at Chattirapatti Toll gate, Dindigul, the police found that the Accused No.2, who is the driver of the lorry bearing Registration No.TN-58-BJ-6761, was illegally transporting 2300 kgs of PDS rice in the lorry from Jeyam Parcel Service, owned by the accused No.1 to SSM Traders, Palakad/Accused No.3. Based on the confession given by the accused Nos.1 and 2, the petitioner has been impleaded as an accused in this case. the



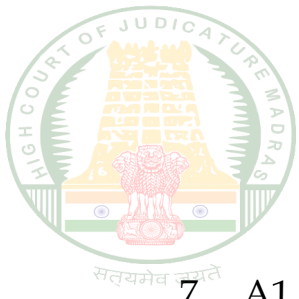
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police seized the vehicle. The petitioner along with other accused is running a mill and godown and on inspection that mill and godown, the police found 20 tones of PDS rice, which was also seized. Hence, the case.

4. Mr.B.Azhagesh, learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implication in this case. He further submits that the petitioner has no previous case and he is ready to abide by any conditions that may be imposed by this Court. Accordingly, he prayed to grant an order of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police submits that a huge quantity of PDS rice has been seized from the godown belonging to the petitioner and other accused persons. He further submits that he was arrayed as accused No.6 and the investigation is complete and the charge sheet will be filed shortly. At this stage, if the pre-arrest bail is granted to the petitioner, he will cause threat to the witnesses and abscond. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.



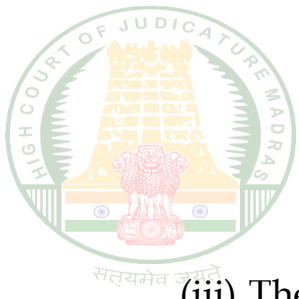
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7. A1 and A2, who were arrested and remanded to judicial custody, were enlarged on bail by the learned Judicial Magistrate-III, Dindigul, *vide* order dated 27.11.2024 in Crl.M.P.No.15594 of 2024. Pre-arrest bail was also granted to A3 by this Court *vide* order dated 27.11.2024 in Crl.O.P(MD)No.20670 of 2024. This is the third pre-arrest bail application of the petitioner. Since the fact that the investigation is complete, this Court is of the view that custodial interrogation of the petitioner may not be necessary. Considering the above facts and circumstances of the case, and also considering the fact that the petitioner is a first offender and with a view to give an opportunity to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.3, Dindigul, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the Judicial Magistrate No.3, Dindigul. Among two sureties, one shall be a blood relative.

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;



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(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to The Criminal Rules of Practice, 2019]. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.3, Dindigul;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.3, Dindigul, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-  
13/02/2025

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/02/2025  
Sub-Assistant Registrar (C.S. I / II / III / IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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APD

TO

- 1 THE JUDICIAL MAGISTRATE NO.III  
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
CIVIL SUPPLIES C.I.D.,  
DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.AZHAGESH, Advocate ( SR-1632[I] dated 13/02/2025 )

ORDER

IN

CRL OP(MD) No.2617 of 2025

Date :13/02/2025

SS/SKN/SAR- /20/02/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023