



CRL.OP(MD). No.2538 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.2538 of 2025

Velayutham

... Petitioner/ Accused No.4

Vs.

The State of Tamil Nadu rep by  
The Inspector of Police,  
Civil Supplies CID,  
Tirunelveli District.  
(Crime No.392 of 2024)

... Respondent/Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.392 of 2024 on the file of the respondent police.

For Petitioner : Mr.K.Sathishkumar  
For Respondent : Mr.K.Sanjay Gandhi,  
Government Advocate (Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/ A4 apprehends arrest at the hands of the respondent police for the offence punishable under Clause 6(4) of TNSC (RDCS) Order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.392 of 2024 on the file of the respondent-police.



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3. The case of the prosecution is that on 01.12.2024, based on secret information, the defacto complainant, the Sub-Inspector of Police along with his team, conducted a vehicle inspection to prevent the smuggling of PDS rice. During the inspection, they intercepted three vehicles and found that the accused persons were illegally transporting 3,400 kg of PDS rice for profit. On investigation, it was revealed that the petitioner (A4) is the owner of both the vehicle and the PDS rice. He had engaged A1 to A3, the drivers of the vehicles, to transport the rice to A5. A1 to A3 are residents of Kerala.

4. Mr.K.Sathishkumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is not the owner of the vehicles. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjay Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally 5 accused persons in this case and the petitioner has been arrayed as Accused No.4. He further submits that the petitioner is the owner of the vehicles and based on his instructions, A1 to A3 were transporting the PDS rice to Kerala. Therefore, he contends that, if the



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petitioner is granted pre-arrest bail, there is possibility of committing similar offences in future. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The earlier pre-arrest bail application filed by the petitioner was dismissed on merits by this Court in Crl.OP(MD).No.21536 of 2024 on 09.12.2024. Subsequently, the petitioner filed a second pre-arrest bail petition in Crl.OP(MD).No.886 of 2025, which was also dismissed by this Court on 21.01.2025 on the ground that there was no change in circumstances. Thereafter, the present petition has been filed. When this case is taken up for hearing today, this Court specifically put a question to the learned counsel for the petitioner to state about the alleged change in circumstances. The learned counsel is unable to respond for the same. Hence, it is clear that there is no change of circumstances in this petition. Therefore, this Court is of the view that successive pre-arrest bail application without any change in circumstances is not maintainable. Accordingly, this Criminal Original Petition is dismissed.

sd/-

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

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TO  
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1 THE INSPECTOR OF POLICE, CIVIL SUPPLIES CID, TIRUNELVELI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.2538 of 2025  
Date :13/02/2025

RS/SKN /SAR-(25.02.2025) 4P 3C  
Madurai Bench of Madras High Court is issuing  
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