



CRL OP(MD). No.3102 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3102 of 2025

E. Manikandan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Civil Supplies Crime Investigation Department,(CSCID),
Madurai,
(Crime No. 21 of 2025).

... Respondent/Complainant

For Petitioner : Mr.D Shanmugaraja Sethupathi,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 21 of 2025 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 17.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2. The petitioner/Accused No.2 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 6(4) of Tamil Nadu Schedule Commodities (RDCS) Order, 1982 and Section 7(1)(a)(ii) of the Essential Commodities Act in Crime No.21 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on secret information, on 06.02.2025, at about 7:00 p.m., when the Sub-Inspector of Police and his team attached to the Tamil Nadu Civil Supplies Crime Investigation Department, near Sammattipuram Pallivasal, were conducting inspection, they intercepted a vehicle bearing Registration No.TN-65-F-7851 and found that the accused persons were illegally transporting 40 gunny bags of PDS rice, each containing 30 Kgs, totalling 1200 kgs. On seeing the police, two persons, out of three persons, fled from the place of occurrence. Based on the confession of A1, the petitioner, who is the owner of the



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vehicle, has been arrayed as A2. The vehicle was seized by the respondent-police.

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Hence, this case.

4. Mr.D.Shanmugaraja Sethupathi, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is in no way connected with this case as he was not present at the place of occurrence. Hence, he prays for grant 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 the petitioner has four previous cases, which are similar in nature and that out of four cases, three cases were registered between the year 2010-13 and one case was registered in the year 2022. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner is the owner of the vehicle and has four previous cases, which are similar in nature, out of which three cases were registered between 2010-13 and one case alone was registered in the year 2022. Considering the same and also considering the cumulative circumstances of the case and with a view to give one



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more opportunity to the petitioner 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-III, Madurai, 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 learned Judicial Magistrate-III, Madurai;

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

(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-III, Madurai, 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-III, Madurai;

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly make any inducement, threat



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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;

(vii) The petitioner shall not leave India without previous permission of the Court;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate-III, Madurai, 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/-
19/02/2025

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/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD



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- TO
- 1 THE JUDICIAL MAGISTRATE NO.III
MADURAI
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CRIME INVESTIGATION DEPARTMENT,
(CSCID),
MADURAI
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3102 of 2025
Date :19/02/2025

SS/SKN/SAR- /04/03/2025/ 6P/5C

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