



CRL OP(MD). No.3227 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Raja Ganesh

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Virudhunagar Police Station,
CSCID-Madurai District.
Crime No.10 of 2025

... Respondent/ Complainant

For Petitioner : Mrs.D.Thilaga Rani
for Mr.M.Jothi Basu
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.10 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 18.02.2025



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under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant
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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 the Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 read with Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.10 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.01.2025, at about 09.30 hours, when the defacto complainant, the Special Tahsildar along with his team, was conducting a vehicle check-up at Pillayar Thottiyankulam Bus Stand, they found that the petitioner illegally transported 2,850 kgs of rice in 57 bags meant for sale through the Public Distribution System in a vehicle bearing Registration No. TN 65 AD 6666. Hence the case.

4. Mrs.D.Thilaga Rani, learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. She however submits that the petitioner is ready to abide by any conditions imposed by this Court. Hence, she prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that there are totally four accused



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persons in this case. He further submits that A3 and A4 were arrested and released on bail. He further submits that the petitioner and other accused persons illegally transported 2,850 kgs of rice meant for sale through Public Distribution System and that A1 and A2 are owners of rice. He further submits that the petitioner / A1 has one previous case. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of the offences alleged against the petitioner and considering the fact that co-accused persons were arrested and released on bail and with a view to give one 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 No.I, Virudhunagar District, 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.1,00,000/- (Rupees One Lakh only) along with two sureties each for a like sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar District.

(ii) 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



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Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of
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identity proofs to ensure their identity;

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

(iv) 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;

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

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. and 05.00 p.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Virudhunagar District;

(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, concerned Magistrate, 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 them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala



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[(2005) 13 SCC 283].

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

sd/-
20/02/2025

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

TO

- 1.The Judicial Magistrate No.I,
Virudhunagar District.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3.The Inspector of Police,
Virudhunagar Police Station,
CSCID-Madurai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-1927[I] dated 21/02/2025)

ORDER

IN

CRL OP(MD) No.3227 of 2025

Date :20/02/2025

mbi

MK/SKN/05.03.2025 5P/6C

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