



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4322 of 2025

Manikandan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thanjavur Police Station,
CSCID-Madurai,
Thanjavur District.
Crime No.28/2025.

... Respondent/Complainant

For Petitioner : Mr.T.Eashwar

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.28 of 2025 on the file of the respondent- Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> This Criminal Original Petition has been filed by the petitioner on 05.03.2025



under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant
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bail.

2. The petitioner/ Accused No.1 was arrested and remanded to judicial custody on 22.02.2025 for the alleged offences punishable under Section 6(4) of the Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order, 1982, and Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.28 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that based on the secret information, on 05.02.2025, at about 6.00 hours, the defacto complainant, along with his team, was conducting vehicle check-up near Thanjavur Tholkappiyar Square, they found that the co-accused persons/ A2 to A4 were illegally transporting 300 kgs of PDS rice in Bolero Pickup, bearing registration No.TN-68-AQ-3580. The co-accused persons/ A2 to A4 were arrested on the spot and the vehicle, along with PDS rice, was seized by the respondent-police. Based on the confession of the co-accused persons, the petitioner has been arrayed as accused as A1, as the owner of the rice. Hence the case.

4. Mr.T.Eashwar, 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 to



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this case. He further submits that only based on the confession of A2 to A4, the petitioner has been arrayed as an accused, and that no material was recovered from the petitioner. He further submits that the petitioner has been in judicial custody since 22.02.2025, and that he is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner is the owner of the rice, and that based on the confession of the co-accused persons, he has been arrayed as A1. He further submits that the petitioner has two previous cases, which are similar in nature, and therefore, if the petitioner is enlarged on bail, he will abscond and commit similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 22.02.2025 and has been in judicial custody. The petitioner has two previous cases, which are similar in nature. Further, the petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the nature of offences alleged against the petitioner, and with a view to give one more opportunity to the petitioner, this Court is inclined to grant bail to the petitioner,



however, subject to certain conditions. Accordingly, bail is granted to the petitioner

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subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur;

(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 Practice, 2019']. The learned Judicial Magistrate No.II, Thanjavur shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall pay a sum of Rs.20,000/- to the credit of Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c.No.11555089384, IFSC Code:SBIN0002268);

(iv) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(v) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(vi) 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 or tamper with the



evidence;

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

(viii) The petitioner shall appear and sign before the respondent-Police weekly once, i.e., Monday at 10.00 a.m., until further orders;

(ix) The petitioner shall also not cause threat to the defacto complainant and the witnesses; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.II, Thanjavur 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/-
07/03/2025

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07/03/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



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1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
THANJAVUR POLICE STATION,
CSCID MADURAI,
THANJAVUR DISTRICT.

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

COPY TO
THE HEAD MASTER, GOVERNMENT HIGHER SECONDARY SCHOOL,
SATHIRAKUDI, RAMNAD DISTRICT.

ORDER
IN

CRL OP(MD) No.4322 of 2025

Date :07/03/2025

NBF/SAR/ (07/03/2025) 6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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