



CRL OP(MD) No. 4248 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07-03-2025

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL OP(MD) No. 4248 of 2025

1.G.Balamurugan

2.Dhanush @ Dhanushkodi

... Petitioners / A4 & A5

(memo filed by the petitioners in CrI.O.P(MD).No.4248 of 2025 on 10.03.2025)

Vs

The State of Tamil Nadu

rep., by The Inspector of Police,

Civil Supplies C.I.D.,

Virudhunagar.

Crime No.19 of 2025

...Respondent/ Complainant

PETITION FOR ANTICIPATORY BAIL Under Section 482 of BNSS

PRAYER : For pre-arrest bail in Crime No.19 of 2025 on the file of the respondent-police.

For Petitioner(s) : Mr.T.Leninkumar

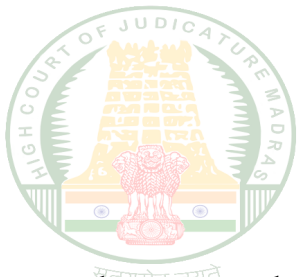
For Respondent(s): Mr.K.Sanjai Gandhi

Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed by the petitioners on 05.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent- police for the offences 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.19 of 2025 on the file of



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the respondent-police.

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3. The case of the prosecution is that on 26.02.2025, when the respondent-police were on patrol duty, they found that the accused persons were illegally transporting 102 bags of rice (each containing 40kgs) in a Bolero Pickup Vehicle bearing Registration No.TN 65 M 7614. On enquiry, it was revealed that the petitioners collected rice from the card holders and transported the same for sale of it on higher rater. Hence, the complaint.

4. Mr.T.Lenin Kumar, the learned counsel for the petitioners, submits that the petitioners are innocent persons, and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners. He further submits that the second petitioner's name is Dhanush @ Dhanushkodi, but, in the case bundle, it has been wrongly mentioned as Dhanush @ Dhanushkumar. Hence, he pleads that the second petitioner's name may be corrected as Dhanush @ Dhanushkodi, instead of Dhanush @ Dhanushkumar. In this regard, he filed a memo.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police submits that in this case, there are six accused



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persons involved. The petitioners have been arrayed as A4 and A5, respectively. A4 has no previous case, and A5 has one previous case, which is similar in nature. He further submits that the petitioners have collected rice from the various card holders and sold the same to the co-accused persons. He further submits that if pre-arrest bail is granted to the petitioners, they will commit similar offence. He further prays for dismissal of this petition.

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

7. The petitioners have permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case, and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Virudhunagar, 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) each 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



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Magistrate No.I, Virudhunagar.

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(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 shall obtain a copy of any one of identity proofs to ensure their identity.

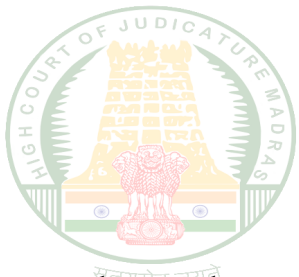
(iii) The petitioners shall appear and sign before the respondent- police, weekly twice i.e., on every Monday and Friday at 10.00 am., until further orders.

(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners jointly shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c. No.11555089384, IFSC Code:SBIN0002268), and produce the proof of the same while executing the bond to the concerned Judicial Magistrate;

(vi) The petitioners 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.

(vii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and other police officials and witnesses and shall not tamper



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the evidence.
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(viii) The petitioners shall not leave India without the previous permission of the Court.

(ix) The petitioners shall furnish his residential address and mobile number to the concerned Magistrate.

(x) The petitioners shall not enter into the defacto complainant's residence.

(xi) On breach of any of the aforementioned conditions, the learned Judicial 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 him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

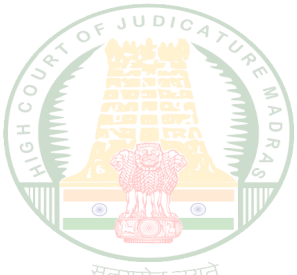
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07.03.2025

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

Rmk



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To
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- 1.The Judicial Magistrate No.I,
Virudhunagar.
- 2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur
- 3.The Inspector of Police,
Civil Supplies CID,
Virudhunagar.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Head Master,
Government Higher Secondary School,
Sathirakudi, Ramnad District

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-2590[I] dated 10/03/2025)

Order made in
CRL.OP(MD). No.4248 of 2025
07.03.2025

SL(21.03.2025)/ 6P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.