



CRL OP(MD). No.4348 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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K. Naveen Raj

... Petitioner/ Accused
rank not known

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Thanjavur Police Station,
CSCID Madurai District.
(Crime No. 22 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. Leo Daniel Kavlin
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No. 22 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 06.03.2025



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under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
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grant an order of pre-arrest bail.

2. The petitioner/Accused rank not known apprehends arrest at the hands of the respondent-police for the offences punishable under Section 6(4) of the Tamil Nadu Scheduled Commodities (RDSCS) Order, 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.22 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 29.01.2025, at about 5.00 a.m when the respondent-Police along were on routine surveillance near Vada Pathirakalaimman Temple, they found that the petitioner and other accused persons were illegally transporting 3000 tons of PDS rice, worth about Rs.16,950/-, in a vehicle bearing registration No. TN-49-CJ-4942. A1 and A2 were arrested. Based on their confession, the petitioner has been arrayed as an accused. Hence, the case.

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

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal



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Side) appearing for the respondent-police, submits that the petitioner and other
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accused person illegally transported PDS rice and that there was no previous case
pending against the petitioner. He further submits that the investigation of the case is
still pending and therefore, at this stage, if pre-arrest bail is granted to the petitioner,
he may commit similar offence and cause threat to the witnesses. Hence, he prays to
dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view
that custodial interrogation of the petitioner is not necessary in this case. 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 facts
and circumstances of the case and the nature of offence, and with a view to give an
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 pre-arrest bail in the event of his arrest or
in the event of his surrender before the learned Judicial Magistrate No.II, Thanjavur,
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.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



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satisfaction of the learned Judicial Magistrate No.II, Thanjavur.

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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 petitioner shall appear and sign before the respondent-police weekly twice ie., on every Monday and Friday at 10.00 am until further orders.

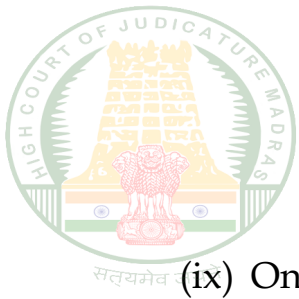
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) 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.

(vi) The petitioner shall not leave India without the previous permission of the Court.

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

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



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(ix) 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/-
11/03/2025

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

trp
TO

- 1 THE JUDICIAL MAGISTRATE NO II
THANJAVUR.
- 2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THANJAVUR POLICE STATION,
CSCID MADURAI DISTRICT.



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

ORDER
IN

CRL OP(MD) No.4348 of 2025

Date :11/03/2025

HPS/SAR / 26.03.2025/6P/5C

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