



CRL OP (MD) No.5661 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.5661 of 2025

Thiyagarajan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thanjavur CSCID Police Station,
Madurai District.
(Crime No. 57 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-For Bail in Crime No.57 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 25.03.2025

<https://www.mhc.tn.gov.in/judis> under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant bail.

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2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 12.03.2025 for the alleged offences punishable under Section 6(4) of the Tamil Nadu Commodities [RDCS] Order, 1982 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.57 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 12.03.2025, at about 8.00 a.m., when the defacto complainant, Sub-Inspector of CSCID, along with his team, was on surveillance near Kovil Devarayanpettai Street, Papanasam, they found that the petitioner herein was illegally in possession of 1050 kgs of PDS rice on a vacant land belonging to another person. Hence, the complaint.

4. Mr.C.Senthil Murugan, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, that he has not committed any offence as alleged by the prosecution, and that a false case has been foisted against the petitioner. He further submits that the petitioner is ready and willing to deposit a sum of Rs 5,000/- to show his bona fide and to abide by any conditions that may be imposed by this Court. He further submits that the petitioner has been in incarceration since 12.03.2025. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that there is no previous case pending



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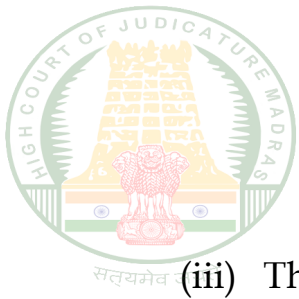
against the petitioner. He further submits that the investigation of the case is still pending, and therefore, at this stage, if the petitioner is released on bail, he may abscond and tamper the witnesses. Therefore, he vehemently opposes to grant bail to the petitioner.

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

7. 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 fact that the petitioner has been in judicial custody since 12.03.2025 and that there is no previous case pending against the petitioner, and taking note of the fact that the petitioner is ready and willing to deposit a sum of Rs.5,000/-, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for 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 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;



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(iii) The petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c No. 11555089384, IFSC Code: SBIN0002268) as a donation, without prejudice to his rights and contentions before the Trial Court, and produce the receipt/acknowledgment before the concerned Judicial Magistrate while executing sureties;

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

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

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

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

(viii) 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;

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



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

sd/-
27/03/2025

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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 AT KUMBAKONAM.

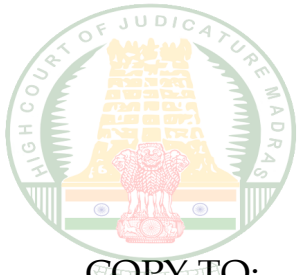
3. The officer-in-charge,
District Prison, Thanjavur.

4. The Inspector of Police,
Thanjavur CSCID Police Station,
Madurai District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,

Madurai

<https://www.hfjc.tn.gov.in/judis>



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COPY TO:

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

ORDER
IN
CRL OP(MD) No.5661 of 2025
Date :27/03/2025

MK/VR/SAR /28.03.2025 6P/7C

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