



CRL OP(MD). No.6273 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6273 of 2025

Senthil Kumar,

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
CSCID-Dindigul,
Madurai.
Crime No.57/2025..

... Respondent/ Complainant

For Petitioner : Mr.Sonu.P,
Advocate.

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.57/2025 on the file of the respondent-Police.



CRL OP(MD). No.6273 of 2025

ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 02.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-Police for the offence punishable under Section 4(1)(b) of Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000 and 7(1)(a)(ii) of Essential Commodities Act, in Crime No.57 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 24.03.2025, at about 14.00 hours., based on the secret information, the respondent Police was conducting inspection in the Mattai Mill, near Dindigul-Palani Road, Ayakudi. At that time, the police in the presence of A1 and A2, seized 13 Energy Gas Cylinders (unfilled-9 and filled-4) weighing 21 kgs, 4 empty Indane Gas Cylinder Weighing 19 Kg, 39 Empty Bharat Gas Cylinders weighing 19 Kg and 17 empty HP Cylinders Weighing 5 kgs totally 73 cylinders. On enquiry, it revealed that they used to purchase cylinder from the third accused at very low cost and used to sell it to hotels and tea shops in and



CRL OP(MD). No.6273 of 2025

around Palani for high price without any valid license. Hence, the complaint.

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4. Mr.P.Sonu, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that a false case has been registered against the petitioner. He further submits that he is ready to abide by any conditions to be imposed by this Court. He further submits that based on the confession statement given by A3, the petitioner has been arrayed as A4. He further submits that the specific overt act attributed against the petitioner is that the he is the friend of A1 only. Therefore, he prays for granting 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 the petitioner along with other accused persons had sold gas cylinders to the public at higher price without valid license. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioner.

6.Heard both sides. This Court perused the materials available on record.

7.The petitioner has permanent residence and deep roots in the society and



CRL OP(MD). No.6273 of 2025

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hence, there is less possibility of absconding. With a view to give one more opportunity to the petitioner to reform himself in the society and taking note of the fact that cylinders has already been recovered from the accused, the custodial interrogation may not be necessary in this case and also considering the fact that the petitioner has been arrayed as A4 based on the confession of A3 and the specific overt act attributed against the petitioner is that he is the friend of A1 only, hence, 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.3, Dindigul, within a period of fifteen 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) 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.3, Dindigul,;

(ii) Thereafter, the petitioner shall appear and sign before the respondent Police daily at 10.30 a.m., until further orders;

(iii) 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



CRL OP(MD). No.6273 of 2025

Practice, 2019]'. The learned Judicial Magistrate No.3, Dindigul, shall obtain a copy
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of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.3, Dindigul,;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.3, Dindigul, 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].

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

sd/-
04/04/2025

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/04/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.6273 of 2025

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TO

- 1.THE LEARNED JUDICIAL MAGISTRATE NO.3, DINDIGUL DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3.THE INSPECTOR OF POLICE, CSCID-DINDIGUL,
MADURAI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6273 of 2025
Date :04/04/2025

PR/30.04 .2025 6P/5C

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