



CRL OP(MD). No.6212 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.6212 of 2025

Selvakumar @ Mangai Selvam

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Civil Supplies C.I.D.,
Virudhunagar.
Crime No.30 of 2025

... Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.30 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 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 / Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 6(4) of the TNSC



CRL OP(MD). No.6212 of 2025

(RDCS) Order 1982 r/w. 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime

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No.30 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 26.02.2025, while the respondent-Police were conducting an inspection, at that time, a Tata Ace Vehicle bearing Registration No.TN-72-AL-3280 was found to be illegally loaded with 24 bags of PDS rice (each containing 50 kgs). The Police seized the same. Hence, the case.

4. Mr.T.Lenin Kumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner is willing to deposit a sum of Rs.10,000/- to the Government Higher Second School, Sathirakudi, Ramanathapuram District without prejudice to his contentions. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner along with other accused persons have illegally transported 1200 kgs of PDS rice by using a TATA ACE vehicle bearing Registration No.TN-72-AL-3280 without any valid license or permission. He further submits that the petitioner is the owner of the vehicle. He



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further submits that there is one previous case pending against the petitioner, which is similar in nature. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the quantity of PDS rice allegedly excavated and transported by the petitioner and the fact that the rice and the vehicle have been seized, this Court is of the view that custodial interrogation of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding. Considering the same, and also considering the quantity of PDS rice allegedly transported by the petitioner, and with a view to give one more 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 bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate 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.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 I, Virudhunagar;

(ii) The sureties shall affix their photographs and left thumb impression in the



CRL OP(MD). No.6212 of 2025

Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate I, Virudhunagar, 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 (i.e., on Monday and Friday) at 10.30 a.m., until further orders;

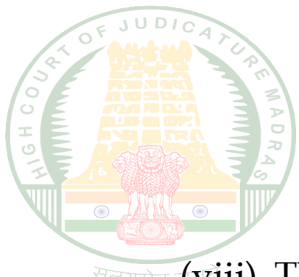
(iv) The petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c. No.11555089384, IFSC Code:SBIN0002268), and produce the proof of the same while executing the bond to the concerned Judicial Magistrate;

(v) 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 learned Judicial Magistrate I, Virudhunagar;



CRL OP(MD). No.6212 of 2025

WEB COPY

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate I, Virudhunagar, 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/-
04/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.THE JUDICIAL MAGISTRATE I, VIRUDHUNAGAR.

2.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

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



CRL OP(MD). No.6212 of 2025

4.THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I,D, VIRUDHUNAGAR.

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

+1. CC to T.LENINKUMAR Advocate SR.No.4009 (I)DT.07/04/2025

ORDER IN
CRL OP(MD) No.6212 of 2025
Date :04/04/2025

PR/16.05 .2025 6P/7C

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