



CRL OP(MD). No.6184 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.6184 of 2025

Rajkumar,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by., The Inspector of Police,
Civil Supplies CID
Sivagangai.
Crime No.50/2025..

... Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar,
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.50/2025 on the file of the respondent-Police.



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ORDER: The Court made the following order :-

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

2. The petitioner apprehends arrest at the hands of the respondent- police for the offences punishable under Clause 6(4) of TNSC (RDSCS) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.50 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 28.03.2025, when the respondent-police were on patrol duty, they found that the petitioner and other accused persons were illegally transporting 35 bags of rice (each weighing 45 kgs) in a Bolero Pickup Vehicle bearing Registration No.TN 37 BW 6783. On enquiry, it was revealed that the petitioner had collected rice from the ration card holders and transported the same for sale of it on higher price rate. Hence, the complaint.

4. Mr.T.Lenin Kumar, the learned counsel for the petitioner, submits that the



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petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner 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. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police submits that in this case, the petitioner has been arrayed as A2. The petitioner has no previous case. He further submits that the petitioner has collected rice from various ration-card holders and sold the same to the co-accused person. He further submits that if pre-arrest bail is granted to the petitioner, he will commit similar offence. Accordingly, prays for dismissal of this petition.

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

7. The petitioner has 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 petitioner to reform



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himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly,
WEB COPY pre-arrest bail is granted 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.I, Sivagangai, 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 No.I, Sivagangai,.

(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.I, Sivagangai, 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 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 deposit a sum of Rs.5,000/-(Rupees Five Thousand only) to the credit of Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c. No.11555089384, IFSC Code:SBIN0002268), and



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produce the proof of the same while executing the bond to the concerned Judicial
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Magistrate;

(vi) 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.

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

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

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

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

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Sivagangai, 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].



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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.

VSG

TO

1.THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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

4.THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
SIVAGANGAI.



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

+1. CC to T.LENINKUMAR Advocate SR.No.4008 (I) DT.07/04/2025

ORDER
IN
CRL OP(MD) No.6184 of 2025
Date :04/04/2025

PR/02.05 .2025 7P/7C

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