



CRL OP(MD). No.6523 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Ponnuchamy

... Petitioner/

Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.94 of 2025)

... Respondent/Complainant

For Petitioner : Mr.V.Sasi Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.94 of 2025 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 316(2), 318(4) of BNS, 2023, in Crime No.94 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who deals in paddy procurement, was contacted on 20.02.2025 by A-1, claiming he had a lorry to transport paddy. Believing him, the defacto complainant asked one Malaisamy to load 354 paddy bundles (23,364 kg worth Rs.5,84,100/-) into a Taurus vehicle bearing Registration No.TN-67-BA-7385 and weigh them at Thiruvengadam. A-1 was instructed to deliver the load to one Saminathan of Needamangalam, Thanjavur District. Instead, A-1 diverted the paddy and handed it over to A-2. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner was not aware that the paddy was stolen property. He further submits that the co-accused have already been arrested and released on

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bail and that the petitioner is willing to abide any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner is the receiver of the stolen paddy. He further submits that the stolen property hat not yet been recovered. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the co-accused have already been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Elayangudi, on condition



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that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only), to the credit of Crime No.94 of 2025 before the learned Judicial Magistrate, Elayangudi. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.94 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders. He has to



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co-operate for the investigation;

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(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
24.10.2025

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To
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1. The Judicial Magistrate,
Elayangudi
2. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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