



CRL.OP(MD). No.6657 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6657 of 2025

1.Palpandi

2.Easwaran

... Petitioners / Accused
Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
CSCID,
Uthamapalayam Police Station,
Madurai.
(Crime No.55 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioners in Crime No.55 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Joseph Jerry,
Advocate

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



CRL.OP(MD). No.6657 of 2025

ORDER : The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 07.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offence punishable under Sections 6(4) of Tamil Nadu Schedules Commodities (RDSCS) Order, 1982 and 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.55 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the accused had illegally stocked 554 bags of rice (weighing 26,660.680 kg) and one bag of wheat (weighing 50 kg) in a closed godown as on 19.03.2025. Upon inspection by the Revenue Officials, the said illegal hoarding of PDS rice meant for public distribution was detected. Consequently, a complaint was lodged against the accused before the respondent-police, and a case was registered in Crime No. 55 of 2025.

4. Mr.A.Joseph Jerry, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged



CRL.OP(MD). No.6657 of 2025

by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners have been implicated only based on the confession of A1, and that there is no direct nexus connecting the petitioners to the alleged offence. He also submits that no recovery of the alleged rice has been made from the petitioners. He, however, submits that the petitioners are also ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side), appearing for the respondent-police, submits that there are totally six accused persons in this case and the petitioners have been arrayed as A5 and A6. He further submits that A1, A2 and A4 were arrested and still in custody. He further submits that A1 to A6 were found in illegal possession of 554 bags of PDS rice. He also submits that the first petitioner has two previous cases, and the second petitioner has five previous cases, all of a similar nature. Hence, custodial interrogation of the petitioner is necessary in this case. Therefore, he contends that, if the petitioners are granted pre-arrest bail, they will commit in similar type of offence and also tamper with the evidence. Accordingly, he prays to dismiss this Criminal Original Petition.



CRL.OP(MD). No.6657 of 2025

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

7. Considering the huge quantity of the alleged PDS rice, the offence allegedly committed by the petitioners and also taking note of the fact that the first petitioner has two previous cases, and the second petitioner has five previous cases, all of a similar nature, this Court is of the view of that this is not a fit case to grant pre-arrest bail to the petitioners. Hence, this Court is not inclined to grant pre-arrest bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
17/04/2025

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/05/2025

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

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To

1.The Inspector of Police,
CSCID,
Uthamapalayam Police Station,
Madurai.



CRL.OP(MD). No.6657 of 2025

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

ORDER
IN
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Date :17/04/2025

VN/06.05 .2025 5P/3C

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