



CRL.OP(MD).No.6801 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.6801 of 2025

1.Durairaj

2.L Stalin Raja

3.Murugesan

4.V Muruganandam @ V Murugananthan

... Petitioners / Accused Nos.1 to 4

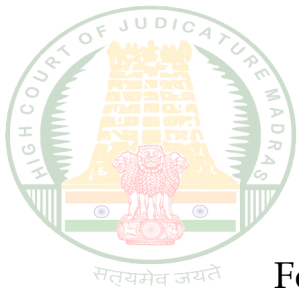
Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Virudhunagar Police Station,
CSCID-Madurai District.
(Crime No.32 of 2022)

... 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.32 of 2022 on the file of the respondent-police.

For Petitioners : Mr.P.Muthu Mangaleswaran,
Advocate



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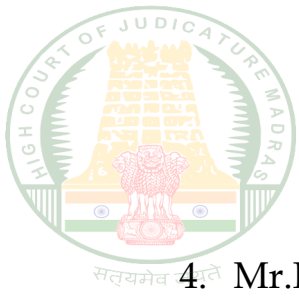
For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal Side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 08.04.2025 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 offences punishable under Sections 6(2), 6(3), 6(4) of TNSC (RDSCS) Order, 1982 and 7(1)a(ii) of the Essential Commodities Act, 1955, in Crime No.32 of 2022 on the file of the respondent-police.

3. The case of the prosecution is that when the Rosalpatti and Soolakarai Civil Supply Warehouses were inspected by the Additional Registrar and Awareness Officer, he came to know that large scale of misconduct was made by the staff and load man in the said civil supplies warehouses and after that the defacto complainant, who is working as Regional Manager, has lodged a complaint against the petitioners. Hence, the case.



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4. Mr.P.Muthu Mangaleswaran, the learned counsel for the petitioners, submits that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and he submits that a false case has been foisted against the petitioners. He further submits that there are no previous cases against the petitioners. Due to unavoidable family circumstances, the petitioners were unable to comply with the conditions imposed by this Court in Crl.O.P.(MD) No.10227 of 2022, dated 22.07.2022. He further submits that the petitioners are now ready to comply the same. He, however, submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioners have been arrayed as A1 to A4. He further submits that the petitioners failed to comply with the conditions imposed by this Court in Crl.O.P.(MD) No.10227 of 2022, dated 22.07.2022. He also contends that, if pre-arrest bail is granted to the petitioners, they may again fail to adhere to the orders of this Court and tamper with the evidence and that custodial interrogation of the petitioners is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.



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

7. On perusal of the records, it is revealed that the petitioners had already moved for pre-arrest bail in Crl.O.P.(MD) No.10227 of 2022, which was allowed on 22.07.2022, subject to certain conditions. One of the conditions was that the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of the Government of Tamil Nadu, Chief Minister's Public Relief Fund (CMPRF), in Indian Overseas Bank, Secretariat Branch, Chennai - 9 (Account No. 117201000000070, IFSC Code: IOBA0001172). Additionally, the petitioners were directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of Crime No.32 of 2022 before the learned Judicial Magistrate No.I, Virudhunagar, without prejudice to their rights and contentions, and to produce the receipt/acknowledgment before the trial Court. However, the petitioners failed to comply with the said conditions.

8. Considering the undertaking given by the petitioners that they are ready to comply with the earlier order of this Court and also considering the facts and circumstances of the case and considering the overt act allegedly committed by the



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petitioners, and with a view to give one more opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.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) each 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, Virudhunagar.

(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 shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) and also deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of



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Crime No.32 of 2022 before the learned Judicial Magistrate No.I, Virudhunagar,
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within a period of one month from today without prejudice to their rights and contentions and produce the receipt/acknowledgment before the trial Court.

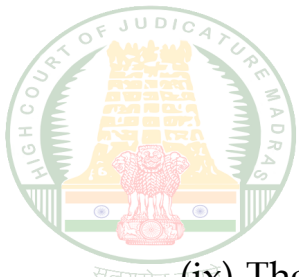
(iv) The petitioners shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders.

(v) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(vi) The petitioners 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 petitioners shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

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



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work place.

(ix) The petitioners shall not enter into the defacto complainant's house or his

(x) The petitioners shall furnish their residential address and mobile number to the concerned Magistrate.

(xi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners 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/-
17/04/2025

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/05/2025

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

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To

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1.THE JUDICIAL MAGISTRATE NO.I,
VIRUDHUNAGAR.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
VIRUDHUNAGAR POLICE STATION,
CSCID-MADURAI DISTRICT.

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

+1 CC to M/s.P.MUTHU MANGALESWARAN, Advocate (SR-4573[I] dated
22/04/2025)

ORDER
IN

CRL OP(MD) No.6801 of 2025
Date :17/04/2025

VN/16.05.2025 8P/6C

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