



CRL.OP(MD). No.7393 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.7393 of 2025

Vanniyaraja @ Muthuraja

... Petitioner / Accused No.2

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Civil Supplies C.I.D.-Madurai,
Virudhunagar Police Station,
Virudhunagar District.
(Crime No.37 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
petitioner in Crime No.37 of 2025 on the file of the respondent police.

For Petitioner : Mr.Lenin Kumar,
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.04.2025



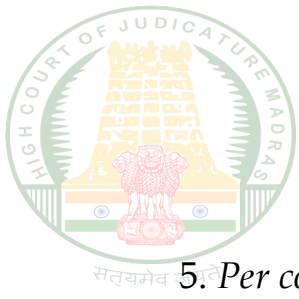
CRL.OP(MD). No.7393 of 2025

under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
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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 the Scheduled Commodities (RDCS) Order 1982 read with 7(1)(a)(ii) of Essential Commodities Act, 1955, in Crime No.37 of 2025 on the file of the respondent-police. The petitioner has been arrayed as A2.

3. The case of the prosecution is that on 18.04.2025, on secret information received, the respondent-police intercepted the TATA Ace vehicle bearing registration No.TN-84-E-9658 and found with 20 bags of *Toor dal* (each bag containing 40 kilograms) which was meant for distribution to general public through Public Distribution System. It is further alleged that the seized *Toor dal* had been collected from the Family Card holders of the locality and was being transported by the 1st accused on the instructions of the petitioner.

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



CRL.OP(MD). No.7393 of 2025

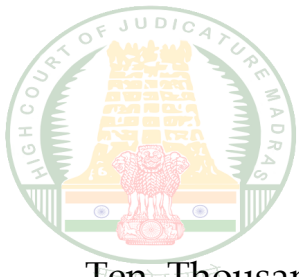
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5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally two accused persons in this case and the petitioner has been arrayed as A2. He further submits that there are three previous cases against the petitioner. He therefore contends that if pre-arrest bail is granted to the petitioner, he will commit similar type of offences. He therefore prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that since vehicle along with *Toor dal* has already been seized, the custodial interrogation of the petitioner is no longer required to the investigating agency. Further the petitioner has permanent residence. Hence, there is less possibility of absconding. Therefore, with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.I, Virudhunagar District, 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



CRL.OP(MD). No.7393 of 2025

Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.I,
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Virudhunagar District.

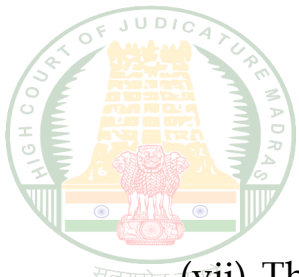
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner is directed to donate a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Head Master, U M S N, Authoor, (Account No:- 186601000002883, IFSC Code:- IOBA0002862, Indian Overseas Bank, Authoor), without prejudice to his rights and contentions before the Trial Court. Only upon deposit, the learned Magistrate shall accept the sureties.

(iv) The petitioner shall appear and sign before the respondent-police weekly twice i.e., on every Monday and Friday at 10.00 a.m. until further orders.

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

(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.



CRL.OP(MD). No.7393 of 2025

WEB COPY
the Court.

(vii) The petitioner shall not leave India without the previous permission of

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

(ix) 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 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/-
23/04/2025

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

pal
To

1.The Judicial Magistrate No.I,
Virudhunagar District.

2.Do through the Chief Judicial Magistrate,
Virudhunagar at Srivilliputhur.



CRL.OP(MD). No.7393 of 2025

3.The Inspector of Police,Civil Supplies C.I.D.-Madurai,
Virudhunagar Police Station, Virudhunagar District.

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

Copy to:

The Head Master, U M S N, Authoor.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4737[I] dated 24/04/2025)

ORDER IN

CRL OP(MD) No.7393 of 2025

Date :23/04/2025

PP/27.05.2025 6P/7C

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