



CRL OP(MD). No.7645 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Velayutham

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Civil Supplies C.I.D.,
Madurai.
Crime No.184 of 2022

... Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.184 of 2022 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 23.04.2025



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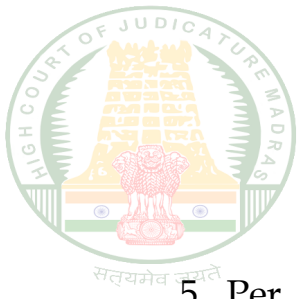
under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 6(4) of the Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 read with Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.184 of 2022 on the file of the respondent-police.

3. The case of the prosecution is that on 11.09.2022, when the respondent-Police was on surveillance, an Ashok Leyland lorry bearing Registration No.TN 74 AZ 4754 was found to be loaded with 300 bags of rice (each bag containing 50 kg) meant to be sold through Public Distribution System. Hence, the case.

4. Mr.T.Lenin Kumar, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.



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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that A2 and A3 were arrested with 15,000 kg of PDS rice and based on their confession, A1 and A4 were arrayed as an accused in this case. Therefore, he prays to dismiss this Criminal Original Petition.

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

7. Considering the nature of the offences allegedly committed by the petitioner and taking note of the fact that allegedly transported rice bags have already been seized, this Court is of the view that custodial interrogation of the petitioner is not required. Further, the petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding. Hence, with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail 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.III, Madurai, 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.25,000/- (Rupees Twenty Five Thousand only)



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along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.III, Madurai;

(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 shall make himself available for interrogation by a police officer as and when required;

(iv) 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;

(v) The petitioner shall not leave India without the previous permission of the Court;

(vi) The petitioner shall donate a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the Head Master, Government Higher Secondary School, Sathirakudi, Ramnad District (A/c. No.11555089384, IFSC Code:SBIN0002268), and submit proof of the payment to the learned Judicial Magistrate No.III, Madurai while executing suretyship;

(vii) Thereafter, the petitioner shall appear and sign before the respondent-



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Police weekly twice i.e., on every Sunday and Monday at 10.00 a.m. until further orders;

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Madurai;

(ix) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(x) On breach of any of the aforementioned conditions, concerned 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 them 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/-
25/04/2025

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

MBI

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TO

1 THE JUDICIAL MAGISTRATE NO.III
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D.,
MADURAI.

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

COPY TO:

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4836[I] dated 25/04/2025)

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4945[I] dated 28/04/2025)

ORDER

IN

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Date :25/04/2025

SS/SAR- /27/05/2025/ 6P/8C

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