



CRL OP(MD). No.7555 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Soviyan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Civil Supplies C.I.D.,
Madurai.
Crime No.53 of 2025

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.53 of 2025 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 22.04.2025



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

2. The petitioner apprehends arrest at the hands of the respondent-police for the alleged 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.53 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 20.04.2025, when the respondent-Police was conducting a vehicle check-up, they intercepted a TATA Xenon Pickup vehicle bearing Registration No.TN 63 AD 9690 and found that the vehicle was illegally loaded with 10 bags (each 45 kg) of rice meant for sale through the Public Distribution System. Hence the case.

4. Mr.T.Leninkumar, learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. 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 the petitioner and other accused person illegally transported 450 kg of rice meant for sale through Public Distribution System. He further submits that the rice and the vehicle have been seized by the respondent-Police. He further submits that the petitioner has no previous case. 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 the petitioner is a first offender and with a view to give one 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 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



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two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.III, Madurai 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 shall make himself available for interrogation by police 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 them from disclosing such facts to the Court or to any police officer;

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

(vi) The petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

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

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

(ix) On breach of any of the aforementioned conditions, concerned Magistrate,



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or Trial Judge 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/-
24/04/2025

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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

TO

1 THE JUDICIAL MAGISTRATE NO.III
MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
CIVIL SUPPLIES CID,
MADURAI.

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



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+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4837[I] dated 25/04/2025)

ORDER

IN

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Date :24/04/2025

SS/SAR- /26/05/2025/ 6P/6C

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