



CRL OP(MD). No.8795 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/06/2025

PRESENT

The HONOURABLE MS. JUSTICE P. VADAMALAI

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1. Vijayakumar

2. M.Ramesh Kumar

... Petitioners/ Accused

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Civil Supplies C.I.D.,
Virudhunagar.
(Crime No.47 of 2025).

... Respondent/Complainant

For Petitioners : Mr.T.Leninkumar
Advocate.

For Respondent : Mr.S.Prakash,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.47 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of the Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 read with Section 7(1)(a)(ii) of the



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Essential Commodities Act, 1955 in Crime No.47 of 2025 on the file of the respondent
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police, seeks anticipatory bail.

2. The case of the prosecution is that on 04.05.2025, when the respondent police were on surveillance near Alangudi to Sivalingapuram road, the petitioners along with other accused were found to be illegally transporting 130 bags of PDS rice (each 50 kgs) in Toyota Qualis bearing Registration Nos.TN-02-Q-9797 and in a two wheeler bearing Registration No.TN-72-BM-6644, without any valid licence or permit. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Further, the petitioners have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners along with other accused were found in possession of 130 bags of PDS rice (each 50 kgs), worth about Rs.2,40,000/-. He would further submit that totally, there are 6 accused in this case and the 1st petitioner is arrayed as A5 and the 2nd petitioner is arrayed as A1 and the 1st petitioner is having no previous case and the 2nd petitioner is having five previous cases, which are similar in nature. Further, the co-accused were released on bail by the learned Judicial Magistrate No.I, Virudhunagar in



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Crl.M.P.No.642 of 2025 dated 28.05.2025. However, he strongly objected to grant anticipatory bail to the petitioners.

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5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the second petitioner is having five previous cases, which are similar in nature, this Court is not inclined to grant anticipatory bail to the second petitioner and the F.I.Rs registered as against the second petitioner are given hereunder:-

1. Crime No.108 of 2023 - PT - 9,700 kg
2. Crime No.151 of 2023 - PT - 440 kg
3. Crime No.174 of 2023 - PT - 1,415 kg
4. Crime No.194 of 2023 - PT - 1,500 kg
5. Crime No.212 of 2024 - PT - 1281 kg

6. As far as the first petitioner is concerned, there is no previous case against the first petitioner and also considering the fact that the co-accused was released on bail by the learned Judicial Magistrate No.I, Virudhunagar in Crl.M.P.No.642 of 2025 dated 28.05.2025, this Court is inclined to grant anticipatory bail to the first petitioner alone, with certain conditions:

7. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which



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the order copy made ready, before the learned Judicial Magistrate No.I, Virudhunagar on condition that the first petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the first petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) The first petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Virudhunagar. If the first petitioner changes his residential address, he shall report the same to the concerned Court.

(c) the first petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the first petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the first petitioner in accordance



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with law as if the conditions have been imposed and the first petitioner released on
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bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble
Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

(g)if the accused/first petitioner thereafter absconds, a fresh FIR can be
registered under Section 269 of BNS, 2023.

8. Accordingly, this Criminal Original Petition is allowed as against the first
petitioner alone and as far as the second petitioner is concerned, the Criminal
Original Petition is dismissed.

sd/-
03/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MAC
TO

1 THE JUDICIAL MAGISTRATE NO.I,
VIRUDHUNAGAR.

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

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

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



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WEB COPY +1 CC to M/s.T.LENIN KUMAR, Advocate (SR-5905[I] dated 04/06/2025)

ORDER
IN
CRL OP(MD) No.8795 of 2025
Date :03/06/2025

SA/SAR. /10.06.2025/6P/6C

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