



CRL OP(MD). No.8987 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8987 of 2025

1.Sarath @ Mahesh,
S/o.Thangappan
2.Ancy,
W/o.Endan

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Civil Supplies C.I.D.,
Tirunelveli District.
(Crime No.75 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.T.Lenin Kumar,
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.75 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Clause 6(4) of TNSC (RDCS) Order, 1982



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read with Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.75 of 2025 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners have illegally transported 1380 Kilograms of PDS rice by using Hyundai Verna Vehicle bearing registration No.KL-22-C-5664 and Scorpio vehicle bearing registration No.KL-07-AW-9390. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the petitioners are no way connected with the alleged occurrence, and they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submits that there are totally three accused persons in this case, and the petitioners have been arrayed as A1 and A2. A3 has been arrested and subsequently released on bail. The market value of 1380 Kilograms of PDS rice would come to Rs.51,000/-. He further submits that the petitioners, A1 and A2, each have three previous cases of a similar nature.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking into account of the fact that the co-accused has been arrested and released on bail, and also considering the fact that as the date of occurrence is 18.05.2025, by this time most of the investigation would have been completed, this court is inclined to grant anticipatory bail to the petitioners, with



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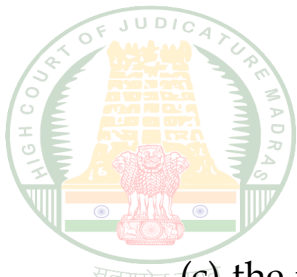
certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate No.II, Tirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 Judicial Magistrate No.II, Tirunelveli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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 petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each before the Head Master, Sethupathi Government Higher Secondary School, Tiruchuli, Virudhunagar District, Account No.:30700985498, State Bank of India, Tiruchuli, IFSC Code : SBIN0003832 as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Tirunelveli shall accept the sureties furnished by the petitioners.



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

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

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on 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;

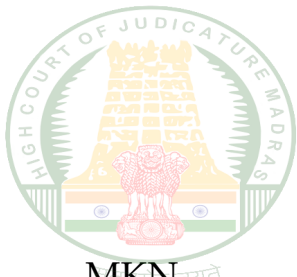
(g) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
04/06/2025

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



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TO

- 1.THE JUDICIAL MAGISTRATE NO.II, TIRUNELVELI.
 - 2.THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3.THE INSPECTOR OF POLICE, CIVIL SUPPLIES C.I.D.,
TIRUNELVELI DISTRICT.
 - 4 THE HEAD MASTER, SETHUPATHI GOVERNMENT HIGHER
SECONDARY SCHOOL, TIRUCHULI, VIRUDHUNAGAR DISTRICT.
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.T.LENIN KUMAR, Advocate (SR-5965[I] dated 05/06/2025)

ORDER
IN
CRL OP(MD) No.8987 of 2025
Date :04/06/2025

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