



CRL OP(MD).No.9145 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 13.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9145 of 2025

Dushyanthan @ Thusanthan

... Petitioners / Accused No.5

Vs.

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

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.47 of 2025
on the file of the respondent police.

For Petitioner : Mr.T.Leninkumar,
Advocate

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



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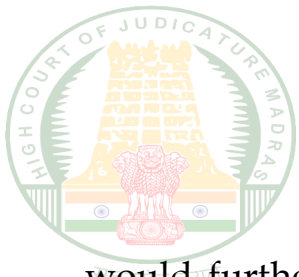
ORDER : The Court made the following order :-

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Clause 6(4) of the Tamil Nadu Scheduled Commodities (Regulation of Distribution by Card System) Order, 1982 read with Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.47 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 04.05.2025, while the respondent police were conducting surveillance near the Alangudi to Sivalingapuram road, they noticed two vehicles, a Toyota Qualis bearing Registration No.TN-02-Q-9797 and a two-wheeler bearing Registration No.TN-72-BM-6644, parked near a vacant land belonging to the Government Cement Factory, along with several plastic bags. Upon suspicion, the respondent police conducted an inquiry, which revealed that the accused persons had stored 130 bags of rice (each weighing 50 kg) on the said vacant land. It is further alleged that the first accused had collected the seized rice from ration cardholders and transported the same in the vehicle. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He



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would further submit that a false case has been foisted against the petitioner. He would further submit that the case has been registered against the petitioner only for statistical purposes. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that there are totally five accused persons in this case and the petitioner has been arrayed as A5. He would further submit that the accused persons had stored 130 bags of rice (each weighing 50 kg) on the said vacant land. He would further submit A1 had collected the rice from ration cardholders and transported the same in the vehicle. He would further submit that the alleged properties have been seized by the respondent police. He would also submit that there are no previous cases against the petitioner. He would also submit that the investigation is still pending, and therefore, he opposes the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the alleged properties have already been recovered and taking note that there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Virudhunagar on condition that the 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar and on further conditions that:

(a) the 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 petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.I, Virudhunagar. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.I, Virudhunagar.

[c] the petitioner shall make a non-refundable deposit of Rs.5,000/- (Rupees



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Five Thousand only) to the credit of Mediation and Conciliation Centre, Madurai

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Bench of Madras High Court, Madurai and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

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

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(f) the petitioner shall not abscond either during investigation or trial.

(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

(h) if the accused thereafter abscond, a fresh FIR can be registered under



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Section 269 of BNS, 2023.

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7. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

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

PAL

TO

1.THE JUDICIAL MAGISTRATE NO.I,
VIRUDHUNAGAR.

2. THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.THE CHIEF CO ORDINATOR,
MEDIATION AND CONCILIATION, MADURAI BENCH OF
MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE,
CIVIL SUPPLIES C.I.D.,



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VIRUDHUNAGAR.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-6391[I] dated 17/06/2025)

ORDER
IN
CRL OP(MD) No.9145 of 2025
Date :13/06/2025

PR/27.06 .2025 7P/7C

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