



CRL OP(MD). No.9405 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9405 of 2025

Zakeer Hussain,
S/o.Batharudeen

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
CSCID Kuzhithurai Police Station,
Kanyakumari.
(Crime No.60 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Ponkarthikeyan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.60 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



CRL OP(MD). No.9405 of 2025

for the offences punishable under Sections 6(4) of TN Scheduled Commodities (RDSCS) Order, 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.60 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.05.2025, the accused illegally transported 1100 Kilograms of PDS rice in a vehicle bearing Registration No.KL-01-1740. Hence, the case.

3. The learned counsel for the petitioner submitted that this is the second anticipatory bail application before this Court. The petitioner suspected to be the owner of the vehicle in question, whereas, in fact, he is not the owner. Solely based on the confession of co-accused, he has been implicated in this case. He further submitted that the petitioner is ready to abide by any condition imposed by this Court and is also willing to reside in a distant place and report before the authority as directed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A1. A2 is still absconding. He further submitted that there are seven previous cases



CRL OP(MD). No.9405 of 2025

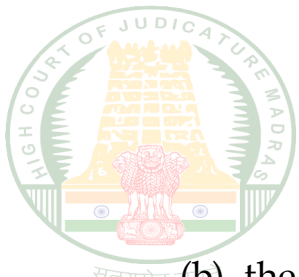
against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

WEB COPY

5. Considering the facts and circumstances of the case, and considering the bonafide expressed by the petitioner, and also taking into account of the fact that the date of registration of the F.I.R. is 08.05.2025, and that by this time most of the investigation is likely to have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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.III, Nagercoil on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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.III, Nagercoil 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;



CRL OP(MD). No.9405 of 2025

WEB COPY

(b) the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of M.S.Chellamuthu Trust and Research Foundation, Current Account No.11194450660, IFSC Code No.SBIN0001479, MICR No.625002006 in the State Bank of India, Vinayaganagar Branch No.8, Dr.Ambedkar Road, Madurai - 20 and on such deposit being made, the learned Judicial Magistrate No.III, Nagercoil shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Nagercoil. In the event of any change in their residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Nagercoil;

(d) the petitioner shall stay at Dindigul District and sign before the Inspector of Police, Dindigul Town North Police Station, Dindigul District daily twice, 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter, as and when required for the interrogation;

(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



CRL OP(MD). No.9405 of 2025

Court is entitled to take appropriate action against the petitioner in accordance with
WEB COPY
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]; and;

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

sd/-
11/06/2025

/ TRUE COPY /

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

MKN

TO

1.THE JUDICIAL MAGISTRATE COURT NO.III,
NAGERCOIL.

2.THE CHIEF JUDICIAL MAGISTRATE
KANNIYAKUMARI DISTRICT AT NAGERCOIL.

3.THE INSPECTOR OF POLICE,
CSCID KUZHITHURAI POLICE STATION,
KANYAKUMARI.



CRL OP(MD). No.9405 of 2025

4.THE OFFICER INCHARGE, M.S.CHELLAMUTHU TRUST
AND RESEARCH FOUNDATION, STATE BANK OF INDIA,
VINAYAGANAGAR NO.8, DR.AMBEDKAR ROAD, MADURAI-20.

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

COPY TO
THE INSPECTOR OF POLICE,
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-6186[I] dated 11/06/2025)

ORDER
IN
CRL OP(MD) No.9405 of 2025
Date :11/06/2025

PR/18.06 .2025 6P/8C

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