



CRL OP(MD). No.9385 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9385 of 2025

Mohamed Ismail,
S/o.Pitchappa Rawthar

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Tenkasi Police Station,
CSCID – Madurai,
Tenkasi District.
(Crime No.84 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Mathava Selvam,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.84 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under section 6(4) of TN Scheduled Commodities (RDCS) Order 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.84 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused had illegally transported 2000 Kilograms of PDS rice. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and is no way connected with the alleged offence as stated by the prosecution. He further submits that the co-accused was released on bail on 09.06.2025 by the learned Judicial Magistrate No.II, Tirunelveli in CrI.M.P.No.2303 of 2025. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submits that there are two



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accused persons in this case and the petitioner has been arrayed as A2. A1 has been arrested and subsequently released on bail. However, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also considering the fact that the co-accused has been arrested and subsequently released on bail, 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 arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Tirunelveli, 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 the police officer who intends to arrest or to the satisfaction of the the learned Judicial Magistrate No.II, Tirunelveli, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb



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impression in the surety bond and the Magistrate may obtain a copy of their Aadhar
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card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Tirunelveli 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.II, Tirunelveli. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Tirunelveli;

(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



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law as if the conditions have been imposed and the petitioner released on bail by the
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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/petitioner thereafter abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
12/06/2025

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

MKN
TO

1.THE JUDICIAL MAGISTRATE NO.II,
TIRUNELVELI.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3.THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
CSCID - MADURAI,
TENKASI DISTRICT.

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

COPY TO
THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.9385 of 2025
Date :12/06/2025

HPS/26.06.2025 /6P/6C

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