



CRL OP(MD). No.12641 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12641 of 2025

Vishwabharath,
S/o.Kathirvel

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Civil Supply (CSCID) Madurai,
Ramanathapuram Police Station,
Ramanathapuram District.
(Crime No.86 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Manimuthu M,
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.86 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police for



CRL OP(MD). No.12641 of 2025

WEB COPY

the offences punishable under Section 6(4) of TN Scheduled Commodities (RDCS) Order, 1982 r/w. Sections 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.86 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.06.2025, the accused smuggled 1880 Kilograms of PDS rice using a Mahindra Bolero vehicle bearing Registration No.TN-11-AA-0480. Hence, the present case.

3. The learned counsel for the petitioner submitted that this is the second anticipatory bail application filed before this Court. The petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He further submitted that A1 to A3 were arrested and subsequently released on bail by the learned Principal Sessions Judge, Ramanathapuram on 11.07.2025 in Crl.M.P.No.1676 of 2025. He, however, submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case and the petitioner has been arrayed as A4. A1 to A3 were arrested and subsequently released on bail by the learned Principal Sessions Judge, Ramanathapuram on 11.07.2025 in Crl.M.P.No.1676 of 2025. There is one previous case registered against the petitioner. He further submitted that the



CRL OP(MD). No.12641 of 2025

entire properties have been recovered. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the entire properties have already been recovered, and that the co-accused were arrested and subsequently released on bail, and that as the date of occurrence is 23.06.2025, by this time most of the investigation might 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 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, Ramanathapuram, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Ramanathapuram, 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 impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



CRL OP(MD). No.12641 of 2025

card or Bank pass Book to ensure their identity;

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(b) the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of **the Women Advocates' Association, Madurai Bench of Madras High Court, Madurai, Indian Bank, Account No.770357420, IFSC Code: IDIB000H040, High Court Branch, Madurai**, without prejudice to his rights and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Ramanathapuram, 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, Ramanathapuram. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Ramanathapuram;

(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



CRL OP(MD). No.12641 of 2025

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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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
01/08/2025

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/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, Ramanathapuram.
 - 2 The Inspector of Police, Civil Supply (CSCID) Madurai, Ramanathapuram Police Station, Ramanathapuram District.
 - 3 The Officer Incharge, Women Advocates Association, Madurai Bench of Madras High Court, Madurai.
 - 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.MANIMUTHU, Advocate (SR-8319[I] dated 01/08/2025)



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CRL OP(MD). No.12641 of 2025

ORDER
IN

CRL OP(MD) No.12641 of 2025

Date :01/08/2025

NBF/SAR- /25/08/2025/ 6P/6C

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