



CRL OP(MD).No.12815 of 2025

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

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.12815 of 2025

Mohamed Bakirthin,
S/o.Sathik Patsa,

.. Petitioner/ Accused
No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
CSCID Police Station,
Madurai City,
(Crime No.136 of 2025)

.. Respondent/ Complainant

For Petitioner :Mr.K.Dinesh
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.136 of 2025 on the file of the Respondent Police.



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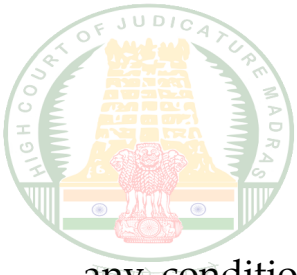
ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(4) of the Tamilnadu Scheduled Commodities (RDCS) order 1982 r/w.Sections.7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.136 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.07.2025, the respondent police involved in patrolling duty at Madurai to Thirumangalam Highway road, near Vandiyur Toll gate, at that time, the respondent police intercepted four wheeler and found that A1 had illegally transported 1800Kg of Boiled PDS rice, the first accused confessed that the said property was transported in the vehicle of this petitioner/Accused No.2 and he is the owner of the said vehicle. Hence, the case.

3. The learned counsel for the petitioner would submit that based on the confession of the Accused No.1, the respondent police lodged a false case against this petitioner. There are totally two accused in this case, this petitioner was arrayed as Accused No.2. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide



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any conditions which may be imposed by this Hon'ble Court. Hence, he seeks
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anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the first accused was illegally transported 1800Kgs of boiled PDS rice, worth about Rs.63,000/-. The Accused No.1 was arrested and remanded into judicial custody and subsequently enlarged on bail by the learned Judicial Magistrate No.III, Madurai in Crl.MP.No.5027 of 2025 dated 21.07.2025. In this case, properties were recovered by the respondent police. There is no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, Accused No.1 already released on bail by the learned Judicial Magistrate No.III, Madurai in Crl.MP.No.5027 of 2025 dated 21.07.2025, by this time most of the investigation might have been completed, properties were recovered by the respondent police, there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



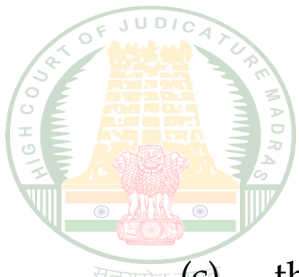
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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.III, Madurai 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 Judicial Magistrate No.III, Madurai, 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 make a non-refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of the **Women Advocates Association, Madurai Bench of Madras High Court, Account No.770357420, IFSC Code.IDIB000H040, Indian Bank, High Court Branch, Madurai**, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;



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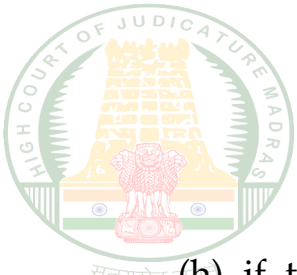
(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.III, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Madurai;

(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]; and;



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

sd/-
04/08/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1 The Judicial Magistrate No.Iii,
Madurai.

2 Do Through
The Chief Judicial Magistrate,
Madurai
District.

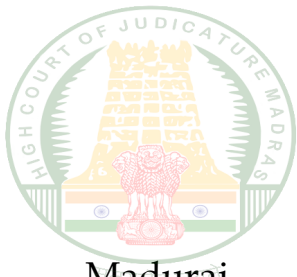
3 The Inspector of Police,
C.S.C.I.D Police Station,
Madurai City.

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

1 The Officer Incharge,
Womens Advocate Association,
Madurai Bench of Madras High Court,

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



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Madurai.

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+1 CC to M/s.K.DINESH, Advocate (SR-8438[I] dated 05/08/2025)

ORDER

IN

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Date :04/08/2025

NM/22.08.2025/ 7P/7C

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