



CRL OP(MD). No.13671 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 02/09/2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Seenivasan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
(Crime No.112 of 2022)

... Respondent/Complainant

For Petitioner : Mr.A.Murugan
Advocate.

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.112 of 2022 on the file of the
respondent police.

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 406 and 420 of IPC r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1995 and Section 23 of Fertilizer Control Order, 1985, in Crime No.112 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.08.2022, the petitioner sold 160 cunny bags of Natural Fertilizer (each bags contains 50 kgs) to the 12 agriculture people of Kasawankundru Village, Eratchi panchayat, Kovilpatti Taluk, Thoothukudi District, through door deliver. The agriculture department enquired the same and the above Natural Fertilizer is red soil. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

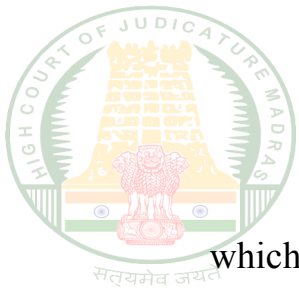


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4. The learned Government Advocate (Crl. side) submitted that the investigation is almost completed and there are no previous cases pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed and the petitioner is ready and willing to deposit some amount to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner, with 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 Principal Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District, 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 learned Principal Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District, failing



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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 card or Bank pass Book to ensure their identity;

(b)the petitioner is directed to deposit a sum of Rs. 50,000/- (Rupees Fifty Thousand Only), to the credit of Crime No.112 of 2022 before the learned Principal Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District. After receipt of entire amount, the learned Principal Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District, shall deposit the said amount in an interest bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.112 of 2022. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioner shall report before the respondent police as and when required for the interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

7. Accordingly, this criminal original petition is allowed.

(S S Y J)
02.09.2025

vsg



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To

1. The learned Principal Judicial Magistrate Court No.II,
Kovilpatti, Thoothukudi District.
2. The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

S.SRIMATHY, J.



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**ORDER
IN
CRL OP(MD) No.13671 of 2025**

Date : 02.09.2025