



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12401 of 2026

1. Magesh Babu
2. Nirosha

..Petitioners

Vs

The State Rep By,
Civil Supply C.I.D.
Kancheepuram,
Kancheepuram District.
(Crime No.117/2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime.No.117/2026 pending on the file of the respondent.

For Petitioners:

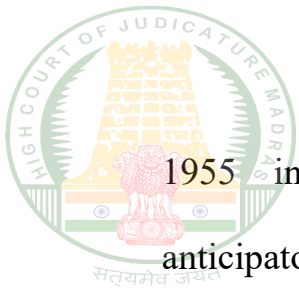
Mr.E Kannadasan

For Respondent:

Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 6(4) Tamil Nadu Schedule Commodities (Regulation of Distribution Through card system) order 1982 r/w. section 7(1)(a) ii of the Essential Commodities Act



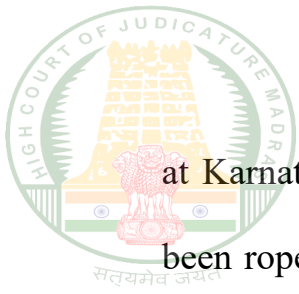
1955 in Crime No.117 of 2026 on the file of the respondent police seek anticipatory bail.

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2. The case of the prosecution is that on 02.04.2026, while on patrol duty to prevent the illegal transportation of Public Distribution System (PDS) commodities, the respondent police intercepted a suspicious lorry. Upon encircling and searching the vehicle, the police discovered 507 gunny bags, each containing 50 kg of PDS raw rice, totalling approximately 25,350 kg. Consequently, the driver of the lorry was arrested, and both the contraband rice and the vehicle were seized. Hence, the case.

3. The learned counsel for the petitioners submitted that though the petitioners have been charged under Essential Commodities Act 1955 for illegally transporting 25,350 kgs of PDS rice, the learned counsel produced the petitioner's Bank statement where, there is reference that the petitioners had paid Food Corporation of India, Karnataka, a sum of Rs.7,50,000/- on 29.10.2024, Rs.87,870/- on 06.11.2024 and Rs.13,895,000/- on 07.11.2024.

4. The learned counsel further submitted that only based on the confession of the driver, these petitioners were implicated and however, the learned counsel for the petitioners strenuously contended that the petitioners used to purchase 500 Metric tonnes of PDS rice from Food Corporation of India



at Karnataka. However, it is his contention that in the present case, they have been roped in based upon the confession given by the driver who is arrayed as

A1. The learned counsel further submitted that only based upon suspicion and their business arrangements with Food Corporation of India, the petitioners have been falsely implicated in the case.

5. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the grant of anticipatory bail to the petitioners.

6. I have given my anxious consideration to either side submissions and perused the materials available on record.

7. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, though the said contention of the learned counsel for the petitioner was outrightly objected by the learned Govt Advocate (Crl.Side), considering the factual position that the petitioner had some business arrangement with the Food Corporation of India in the year 2024 and that the petitioners have been implicated based on the confession of the driver and the second petitioner being a woman, this Court is of the firm view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject



to certain conditions. At this juncture, the learned counsel for the petitioner voluntarily undertakes to pay a sum of Rs.3,00,000/- as non-refundable deposit to any of the welfare scheme without prejudice to their defence.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Kancheepuram**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) the petitioners shall make a non-refundable deposit of **Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) each totalling, Rs.3,00,000/- (Rupees Three Lakhs only) in favour of the Dean, Rajiv Gandhi Government General Hospital, Chennai** to comply with the conditions imposed by this Court in



CrI.O.P.No. 12401 of 2026 dated 18.06.2026, within two weeks from the date on which the order copy is made ready, failing which, the anticipatory bail shall stand automatically cancelled.

(d) The petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(f) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18-06-2026

SHL

To:

1. The Judicial Magistrate-I,
Kancheepuram

2. The Civil Supply C.I.D.
Kancheepuram,
Kancheepuram District.

3. The Public Prosecutor
High Court of Madras



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CRL OP No. 12401 of 2



C.KUMARAPPAN J.

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CRL OP No. 12401 of 2026

18-06-2026