



CRL OP(MD). No.9630 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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M.P.Zubair

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Srivilliputhur Police Station,
Virudhunagar District.
Crime No.167/2026.

... Respondent/Complainant

For Petitioner : Sankar M,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PRAYER :-

C-33AB. For Anticipatory Bail in Crime No.167 of
2026 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused, who apprehends arrest at the hands of the respondent for the offences punishable under Section 7(1)(a)(ii) of the Essential Commodities Act, 1955, in Crime No.167 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 26.03.2026, at about 10.30 p.m., the officials intercepted a 12-wheeler lorry bearing Registration No.KL-11-BP-4898 and found that the accused persons were illegally transporting fertilizers to other districts without any valid permit. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case, and that he is in no way connected with the aforesaid incident. He has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is the driver of the lorry. Hence, he



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prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the accused persons illegally transported essential commodities, namely fertilizers, in a lorry bearing Registration No.KL-11-BP-4898, without any proper permission, and that the petitioner is the driver of the aforesaid lorry, and that there are no previous cases registered against the petitioner. However, he opposes the grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and further considering the fact that the petitioner is not a named accused in the FIR and there is no mention of the quantity of the commodities in the FIR and further considering that



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there are no previous cases registered against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate No.I, Srivilliputhur, and on further conditions that:

[b] the petitioner shall report before the respondent police once in a week i.e. on every Saturday at 10.30 a.m. for a period of four weeks;

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during



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investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(R V J)
20.05.2026

PJL



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TO

1. The Judicial Magistrate No.II,
Srivilliputhur.
2. The Inspector of Police,
Srivilliputhur Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J

PJL

ORDER
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