

KARC060005252026



**IN THE COURT OF III-ADDL. DIST. & SESSIONS JUDGE,
RAICHUR, SITTING AT SINDHANUR.**

Crl. Misc. No.5245/2026

PRESENT

**SRI. SOMASHEKARA A., B.A.L., LL.M.,
III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAICHUR
SITTING AT SINDHANUR**

Dated this the 13th day of July, 2026

PETITIONER/S:-

1. Goolappa, S/o.Shivappa, 34
years, Driver,
2. Ereshaplpa, S/o.Shivappa, 27
years, Agriculture,

Both are R/o.Near APMC,
W.No.6, Balaganur, Manvi
Taluk, Raichur Dist.

(Accused No.1 and 2 as per FIR)

(By Shri K.B.G., Adv.,)

// Versus //

JUDGE SIGN

KARC060005252026

**RESPONDENT:-**

The State through SHO,
Sindhanur Rural Police Station,
Dist. Raichur.

(By learned Public Prosecutor)

ORDER

The present petition is filed by accused Nos.1 and 2 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.192/2026 of Rural Police Station, Sindhanur, registered for the offences punishable under Sections 3 and 7 of the Essential Commodities Act.

2. Brief facts of the case:

The prosecution case, in brief, is that on 14.05.2026 at about 8.00 a.m., the Food Inspector attached to the Tahsildar's Office, Sindhanur, received credible information that Public Distribution System (PDS) rice was being illegally transported from

JUDGE SIGN

KARC060005252026



Sindhanur towards Manvi in an Ashok Leyland lorry bearing registration No. KA-34/B-7723. Acting upon the said information, the complainant, along with the Police Sub-Inspector, police staff and panch witnesses, intercepted the vehicle near Jolada Rashi Anjaneya Temple on the Sindhanur–Inner Ballari Road.

2(a). During inspection, the officials found 80 plastic bags containing PDS rice weighing in all 47 quintals and 30 kilograms, valued at approximately Rs.70,950/-. The driver allegedly disclosed his name as Goolappa and further stated that he and his brother Ereshappa had purchased the rice from villagers at the rate of Rs.15/- per kilogram for resale at a higher price at Manvi. As the accused failed to produce any valid documents authorising possession or transportation of the essential commodity, the rice bags along with the vehicle were seized and a complaint came to be lodged, resulting in registration of the present crime.

2(b). Apprehending arrest, the petitioners have approached

JUDGE SIGN

KARC060005252026



this Court seeking anticipatory bail.

3. Objections of the prosecution:

The learned Public Prosecutor opposed the petition contending that the allegations disclose illegal procurement and transportation of PDS rice, which directly affects the public distribution system meant for economically weaker sections. It is submitted that the petitioners have absconded ever since registration of the case and have not cooperated with the investigation. Their custodial interrogation is necessary to ascertain the source of procurement, identify the persons involved in the illegal diversion of essential commodities and trace the entire chain of distribution.

3(a). It is further contended that if anticipatory bail is granted, the petitioners are likely to tamper with prosecution witnesses, influence villagers from whom the rice was allegedly purchased, hamper investigation and repeat similar offences. Hence, the petition

JUDGE SIGN

KARC060005252026



deserves to be rejected.

4. Having heard both sides and upon perusal of the petition, FIR, objections and the records produced, the following points arise for consideration:

5. **Points for Consideration;**

1. Whether the petitioners have made out sufficient grounds for grant of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023?

2. What Order?

6. My Findings to the above said points are as under;

Point No.1 : In the negative,

Point No.2 : As per the final order, for the following;

REASONS

7. **Point No.1:-** The records disclose that acting upon credible information, the Food Inspector and police intercepted the vehicle allegedly transporting 80 bags of PDS rice weighing 47

JUDGE SIGN

KARC060005252026



quintals and 30 kilograms. The rice and the transport vehicle were seized on the spot. The prosecution further alleges that accused No.1 himself disclosed that the rice had been purchased from villagers at a lesser price for resale at a higher price. These allegations prima facie indicate diversion of essential commodities from the public distribution system.

8. The offence alleged is not merely one involving transportation of ordinary food grains. Diversion of PDS rice affects the distribution system established for economically weaker sections of society. Such offences have serious ramifications on public welfare and require thorough investigation to identify not only the transporter but also the source of procurement and the ultimate beneficiaries of the illegal trade.

9. The material further indicates that after registration of the crime, the petitioners have not made themselves available for investigation. The prosecution specifically asserts that they have

JUDGE SIGN

KARC060005252026



remained absconding and have not cooperated with the Investigating Officer. At this stage, custodial interrogation appears necessary to ascertain from whom the rice was procured, whether other persons are involved in the racket, and to collect further evidence regarding illegal diversion of essential commodities.

10. The contention of the petitioners that the investigation is substantially complete cannot be accepted. The investigation relating to the source of the seized PDS rice, the network involved in its illegal diversion and the financial transactions connected therewith is admittedly still in progress. Granting anticipatory bail at this stage is likely to prejudice a fair and effective investigation.

11. Though anticipatory bail is an important safeguard against arbitrary arrest, such extraordinary discretionary relief cannot be granted as a matter of course where the allegations disclose organised economic offences affecting public interest and where custodial interrogation is shown to be necessary. The Court is

JUDGE SIGN

KARC060005252026



required to balance the individual liberty of the accused with the larger societal interest and the need for a fair investigation.

12. Having regard to the nature of the allegations, the quantity of PDS rice seized, the stage of investigation, the conduct of the petitioners in not cooperating with the investigation and the necessity for custodial interrogation, this Court is of the considered opinion that the petitioners have failed to make out a fit case for exercise of discretionary jurisdiction under Section 482 of the BNSS.

13. Accordingly, the point No.1. for consideration is answered in the **Negative**.

14. **Point No.2:-** For the foregoing reasons, I proceed to pass the following;

ORDER

**The petition filed by accused Nos.1 and
2 under Section 482 of the Bharatiya Nagarik**

JUDGE SIGN

KARC060005252026



Suraksha Sanhita, 2023 seeking anticipatory bail in Crime No.192/2026 of Rural Police Station, Sindhanur, registered for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, is hereby rejected.

It is made clear that the observations made in this order are only for the purpose of deciding the present bail petition and shall not influence the investigation or the trial on merits.

(Dictated to the Steno Grade-I on monitor, typed by her, corrected, signed and then pronounced by me in the open court, on this the 13th day of July, 2026.)

(SOMASHEKARA A.)

III ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAICHUR
SITTING AT SINDHANUR

JUDGE SIGN

Crl.Misc.No.5245/2026
ORDERS

KARC060005252026



JUDGE SIGN