IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18330 of 2018

VEERAMANI, [PETITIONER / ACCUSED]

Vs

THE STATION HOUSE OFFICER [RESPONDENT]
VANUR POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.328 OF 2018.

For Petitioner : M/S.S.ANBURAJA Advocate

For Respondent : MR. R.SURYA PRAKASH, Govt. Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrayed as A1, was arrested on 26.06.2018 for the offences under Sections 3 and 4 (a) of Explosive Substances Act, 1908 in Cr.No.328 of 2018 on the file of the respondent police and seeks bail.

2.It is the case of the prosecution that the petitioner and one Karthik, who is arrayed as second accused, went to the defacto complainant's house and asked to keep one red colour bucket in her house and told that they will take the bucket next day and thereafter, they went away from the place. When the defacto complainant checked the same, she found a round shaped object tied with a thread. When it was showed to one Saranraj, the said object was fell down and blasted and the defacto complainant sustained injury. Hence, this case has been registered.

3.The learned counsel appearing for the petitioner would submit the petitioner did not know about the object handed over to the defacto complainant and the said object was handed over to the defacto complainant by one Karthik/A2. Further he would submit that the petitioner is no way connected in the alleged crime and he has been falsely implicated by the respondent police.

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4.The learned Government Advocate(crl.side) would submit that there is no specific overt act against the petitioner and there is no previous case against the petitioner. Further, he would submit that the investigation is pending.

5.Considering the nature of allegations, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Vanur, Villupuram District and on further condition that:

(a)the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, shall report before the respondent police on every Monday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation;

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

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

(e)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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
07/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

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TO

1 THE JUDICIAL MAGISTRATE,
VANUR, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER
VANUR POLICE STATION,
VILLUPURAM DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

+1 CC to M/S.S.ANBURAJA Advocate on payment of necessary charges SR.NO. 14607

CRL OP.18330/2018

Date :07/08/2018

TA-09/08/2018

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