



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1927 of 2018

PERUMALSAMY

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.85 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

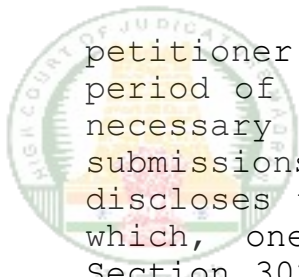
The petitioner / sole accused, who was arrested on 21.11.2017 for the offence punishable under Sections 4(a) & 5 of Explosive Substances Act 1908 in Crime No.85 of 2017 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner has illegally possessed with country bombs. Hence, the present case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 21.11.2017 onwards.

4.The learned Government Advocate (Crl.side) submitted that the petitioner herein is having 4 previous cases, in which, one case has been registered for the offence punishable under Section 302 IPC for two counts and other cases have been registered under the provisions of Explosive Substances Act, 1908. According to him investigation is still pending.

5.The submissions made by the learned counsels appearing on either side are considered. It is alleged that during the time of occurrence, the petitioner possessed with the country bombs. The



petitioner is in judicial custody from 21.11.2017. Considering the period of incarceration, further custodial interrogation may not be necessary for completing the investigation. However, the submissions made by the learned Government Advocate (Crl.side) disclose that the petitioner herein is having 4 previous cases, in which, one case is registered for the offence punishable under Section 302 IPC for two counts. Further more, in the said offence, the petitioner used the country bomb and committed the offence. The other three cases also registered under the provisions of Explosive Substances Act 1908. So, the offence committed by the petitioner is not an ordinary one.

6.Considering the gravity of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
08/02/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION, THOOTHUKUDI DISTRICT.
 - 2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.ALAGUMANI Advocate SR.No.2315

ORDER
IN
CRL OP(MD) No.1927 of 2018
Date :08/02/2018

MKV-CM-SAR 1/22.2.2018/2P-5C