



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

Tuesday, the Twenty Sixth day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2911 of 2019

K.KARMEGAM

... PETITIONER / ACCUSED NO.9

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.22/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.RAMANATHAN Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who was arrested on 16.02.2019 for the offences under Sections 5(a) of Explosive Substances (Amendment) act, 2001 , in Cr.No.22 of 2019, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in possession of 125 gram gelatin sticks which is used for catching fish.

3.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence and hence he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor on instructions would submit that the property was recovered. He would also submit that co- accused in this case was granted anticipatory bail by this Court.

5.Considering the nature of the case and considering the period of incarceration , I am inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on 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 District Munsif cum Judicial Magistrate, Thiruvadanai, Ramanthapuram District and on further condition that:

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

(b) the petitioner shall deposit a sum of Rs.5000/- (Rupees Five Thousand only) to the Credit of Member Secretary, Coastal Aqua Culture Authority, GDR Tower, 12-A Bharathi Street, Vanuvapetti, Madipakkam, P.O, Chennai-600 091, Tamil Nadu

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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.

sd/-

26/02/2019

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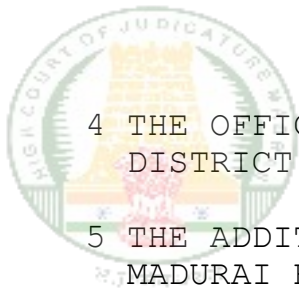
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVADANAN,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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+1. CC to M/S.K.RAMANATHAN Advocate SR.No. 3742

COPY TO:

THE MEMBER SECRETARY,
COASTAL AQUA CULTURE AUTHORITY,
GDR TOWER, 12-A BHARATHI STREET,
VANUVAPETTI, MADIPAKKAM, P.O,
CHENNAI-600 091, TAMIL NADU.

ORDER

IN

CRL OP (MD) No.2911 of 2019

Date : 26/02/2019

JM/PN/SAR 1/26.02.2019/3P/8C