



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9963 of 2019

Siva @ Narayanan

... Petitioner/Accused
Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.
Crime No.146/2019.

... Respondent/Complainant

For Petitioner : M/s.S.P.Veerapandi,
Advocate.

For Respondent : Mr.V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

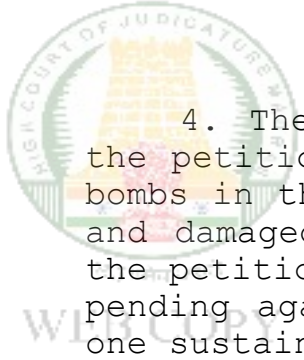
For Bail in Crime No.146/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused seeking bail for the alleged offence under Section 4(1)(a) of Indian Explosives Substances Act.

2. Heard both sides

3. The learned counsel for the petitioner would submit that a false case has been foisted against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 17.05.2019 and he is in custody for the past 31 days. He further submitted that no one sustained injuries in the said occurrence. He further submitted that co-accused in this case was granted by bail by the Sessions Court. Therefore he prayed to grant bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused had unlawfully kept country bombs in their house and on 13.05.2019 the above bombs were blasted and damaged the house. Hence he strongly opposed to grant bail to the petitioner. He would further submit that four previous cases are pending against the petitioner. However he fairly conceded that no one sustained injuries in the said occurrence and the co-accused in this case was granted bail by the Sessions Court.

5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 31 days and also the fact no one sustained injuries in the said occurrence and also the fact that co-accused in this case was granted bail by the Sessions Court and also the fact that the petitioner is on bail in all other cases, this Court is inclined to grant bail to the petitioner by imposing conditions:

[a] 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 each for a like sum to the satisfaction of the Judicial Magistrate No.III, Tirunelveli.

[b] the petitioner shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

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

[d] the petitioner shall not tamper with evidence or witness 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
18/07/2019

/ TRUE COPY /

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



TO

1. Judicial Magistrate No.III, Tirunelveli.

2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.

3. The Superintendent, Central Prison, Palayamkottai.

4. The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.S.P.VEEERAPANDI Advocate SR.No.11903

ORDER

IN

CRL OP(MD) No.9963 of 2019

Date :18/07/2019

MS/VR/SAR-3/18.07.2019/3P.7C