



WEB COPY

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

Date : 12/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7843 of 2020

P.NATRAJ

... PETITIONER/ACCUSED NO.4

VS

STATE REP.BY  
THE INSPECTOR OF POLICE,  
SIPCOT POLICE STATION,  
THOOTHUKUDI,  
CRIME NO. 88 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.Ka.Raamakrishnan,  
Advocate.  
For Respondent : Mr.K.Suyambulinga Bharathi,  
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 88 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner herein were arrested on 15.05.2020 for the alleged offences under Sections 3 and 5 of explosives substances Act and Sections 147, 120(b) of IPC.

2. The petitioner herein is arrayed as A4. The case of the prosecution is that the petitioner along with other accused were found in preparation of country bomb, which also exploded. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the case. The learned counsel for the respondent would also submit that no one sustained injuries in



the said occurrence. He would also submit that co-accused in this case namely A1 was released on bail. He would also submit that the petitioner was in jail for more than 85 days and final report not yet filed by the respondent police, hence he seeks bail.

4. The learned Government Advocate(Crl.Side) would submit that the petitioner along with other accused were preparing country bomb in order to commit the murder of a political party leader, which exploded. He would also submit that no one sustained injuries in the said occurrence.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that no one sustained injuries in the said occurrence and co-accused namely A1 was released on bail and petitioner is in jail for more than 85 days and the final report has not been filed before the concerned court by the respondent police, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police once in a week on every Monday at 10.30 a.m until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

12/08/2020

/ TRUE COPY /

/ /2020

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.III,  
THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
SIPCOT POLICE STATION,  
THOOTHUKUDI.
- 4 THE SUPERINTENDENT,  
CENTRAL JAIL, PALAYAMKOTTAI,  
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.7843 of 2020  
Date :12/08/2020

AAV  
JM/AKM/SAR 2/12.08.2020/3P/6C