



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15327 of 2021

VIMAL KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VANUR POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.250/2021)

[RESPONDENT]

For Petitioner : M/S S.SILAMBUSELVAN Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Section 286 of IPC, r/w Section 5 and 6 of Explosive Substances Act 1908 in Crime No.250 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the A1 in this case was found in illegal possession of 1800 Nos of explosive substances, the same was seized by the respondent Police and registered the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is no way connected with the offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that A1 in this was in possession of Gelatin Sticks used for breaking quarries and the petitioner/A3 is the licensed explosive stockist and seller and he had sold the same with proper bill and receipts. Hence, he prays for granting anticipatory bail to the petitioner.



4. The learned Government Advocate (Cr1.Side) submits that he does not dispute the facts submitted by the learned counsel for the petitioner.

5. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Thiruvannamalai on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 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 petitioners 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/-

26/08/2021

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

TRUE COPY

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



1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VANUR POLICE STATION,
VILLUPURAM DISTRICT.

+1 CC to M/S S.SILAMBUSELVAN Advocate on payment of necessary
charges SR.NO.9214

CRL OP.15327/2021

Date :26/08/2021

RW 13/09/2021