



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 11/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP (MD) No.2829 of 2022

G.Eniyan

... Petitioner/Accused Rank No.2

Vs.

The State rep. By
The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
(Crime No.157 of 2021)

... Respondent/Complainant

For Petitioner : Mr.D.RAJABOOPATHY, Advocate
For Respondent : Mr.SS.MADHAVAN, Government Advocate (crl.side)

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

PRAYER :- For Bail in Crime No.157 of 2021 on the file of the Respondent Police.

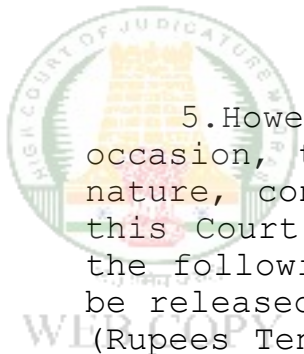
ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2 was arrested on 20/11/2021 and remanded to judicial custody for the offences punishable under sections 4(b) and 5 of Explosive Substances Act, 1908, in Crime No.157 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on receipt of secret information the police party went to the place of occurrence. At that time, the police party found 9 country made bombs in the field of A1. Hence, this case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution, he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 20.11.2021 and more than 85 days, he is in custody and hence, he seeks bail to the petitioner under section 167(2) Cr.P.C.

4.The learned Government Advocate (Criminal side) appearing for the respondent would submit that the petitioner is having three previous cases of similar in nature and if he is released on bail, there is every possibility of committing the similar nature of the offences.



5.However, considering the fact that even though on the earlier occasion, the petitioner has involved in three cases of similar in nature, considering the duration of the custody of the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions. 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 each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders. If the petitioner is involved in any of fresh offence, the bail granted shall stand automatically cancelled. Even though the petitioner is released on bail, the respondent is directed to keep watch upon the movement of the petitioner and his whereabouts until further orders.

sd/-

11/02/2022

/ TRUE COPY /

11/02/2022

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
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
- 4 THE INSPECTOR OF POLICE,
SEITHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.2829 of 2022

Date :11/02/2022

SA/VR/SAR.3/11.02.2022/2P/6C

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