



Crl.O.P.No.27012 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.27012 of 2023

1.Karthik S/o. Devaraj
2.Sakthivelmurugan
S/o. Sathuruckmangathan

...Petitioners/Accused

Vs.

The State rep. by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No.1211 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.1211 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioners	: Mr.N.Ponraj for Mr.N.Manoharan
For Respondent	: Mr.R.Kishore Kumar Government Advocate (Crl. Side)



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ORDER

The petitioners/A4 and A5 seek bail in Crime No.1211 of 2023, registered by the respondent police for the offences punishable under Sections 286, 336 & 337 of IPC r/w Section 5 and 6 of Explosive Substances Act.

2.It is stated that A1 is the father of A2 and A3. A4 and A5 are the supervisors in a quarry run by A1, A2 and A3. The license to run the quarry had expired on 02.10.2023. Gelatine sticks and other explosive materials had been kept in the house where the workers were residing. It was found that on 15.11.2023 there was an explosion. Two complaints came to be given on that particular aspect, one in FIR in Crime No.1210 of 2023 by the one of the workers and other in FIR in Crime No.1211 of 2023 in which relief is now sought by the Village Administrative Officer. The house of the workers had been damaged but there had been no injury caused.

3.Taking all these factors into consideration and that there is no



quarrying work done but only they had stored the Gelatine sticks and other explosive materials in the residence of the workers, I am inclined to grant bail to the petitioners subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Palladam, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed



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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].

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

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To

1. Judicial Magistrate, Palladam.
2. The Sub-jail, Tiruppur.
3. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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