



CrI.O.P.No.3383 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

CrI.O.P.No.3383 of 2024

Suriya

...petitioner

Vs.

State represented by
The Station House Officer,
Mudaliarpet Police Station,
Crime No.17 of 2024.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.17 of 2024 on the file of the respondent Police.

For petitioner : Mr.G.Ezhilbalaji

For Respondent : Mr.K.S.Mohandass,
Public Prosecutor (Pondicherry)
Assisted by Mrs.N.Danalatchumy

ORDER

The petitioner who was arrested and remanded to judicial custody on 16.01.2024 for the offences registered by the respondent Police under



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Sections 3 of Explosive Substance Act 1908 r/w 34 of IPC in Crime No.17 of 2024, seeks bail.

2.The case of the prosecution is that on 16.01.2024 in the morning, the accused were driving a motorcycle in a rash and negligent manner which was questioned by the defacto complainant and in the evening, they came back in a motorcycle and threw a country bomb on the house of the defacto complainant.

3.The learned Government Advocate (crl.side) stated that A1 is still in judicial custody. There is no previous case against the petitioner.

4.Taking into consideration the fact that no injury had been caused and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on executing a 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 learned Judicial Magistrate No.III, Puducherry and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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Magistrate 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, everyday at 10.30 a.m., until further orders.

[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.

26.02.2024

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To

1. The Judicial Magistrate No.III, Puducherry.
2. The Kalapet Prison, Puducherry.



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3. The Station House Officer,
Mudaliarpct Police Station,

4.The Public Prosecutor, High Court of Madras.

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