



CRL OP(MD). No.13339 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13339 of 2024

1. S.Kannan,

2. M.Gopal,

... Petitioners/ Accused Nos.1 & 2

Vs

The Sub Inspector of Police,
Thottiyam Police Station,
Trichy District.
Crime No.211 of 2024.

... Respondent/Complainant

For Petitioners : Mr.N.Sudhagar Nagaraj,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime no.211 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody

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on 04.08.2024 for the offences punishable under Sections 288, 125(a) BNS, 2023 and Sections 3(a) and 3(b) of Explosive Substances Act, 1908, in crime No.211 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 03.08.2024, at about 11.30 am, in the death procession of the father of the second accused, the other accused fired crackers and it blasted and thereby, the defacto complainant and another person sustained injuries.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the facts and circumstances of the case and also considering the facts that the petitioners are pleading that they have proper license for manufacturing crackers and considering the submission of the learned counsel for the petitioners, it is purely an accident and that the petitioners were arrested on 04.08.2024. I am inclined to enlarge the petitioner on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are

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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 District Munsif cum Judicial Magistrate, Thottiyam, Trichirappalli;

(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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners in accordance with



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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].

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

sd/-
14/08/2024

/ TRUE COPY /

14/08/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THOTTIYAM,
TRICHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHIRAPPALLI.

3. THE SUB INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.



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5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-9925[I] dated 14/08/2024)

ORDER
IN
CRL OP(MD) No.13339 of 2024
Date :14/08/2024

RK (14/08/2024) 5P / 7C

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