



CRL OP(MD). No.13585 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13585 of 2024

Raja @ Dalit Raja

... Petitioner/1st Accused

Vs

The Sub Inspector of Police,
Sivakasi East Police Station,
Sivakasi.
Virudhunagar District.
Crime No.374 of 2024..

... Respondent/Complainant

For Petitioner : M/s. Panjalirajan.V,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.374 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.13585 of 2024

WLB COPY
ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 30.07.2024 for the offences punishable under Sections 288 of BNS, 9(B)(1)(a) of Indian Explosives Act and Section 4(a) of Explosives Substance Act, in Crime No.374 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the owner of the Company namely, 'Balaji Pasting and Press'. The petitioner and the other accused have indulged in manufacturing of crackers illegally in the above said Company. Hence, the complaint.

3.Heard both sides.

4.This bail petition is opposed by the learned Additional Public Prosecutor on the ground that the petitioner has got 16 previous cases. On perusal of the same, it can be seen that the cases are related to protest, violation of COVID norms and 110 Cr.P.C., proceedings etc.,

5. As far as the present case is concerned, considering the allegations that the petitioner has tried to operate a cracker manufacturing unit without any license and



CRL OP(MD). No.13585 of 2024

also considering the facts that there are no previous antecedents with reference to the said allegations and he is in custody from 30.07.2024, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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-II, Sivakasi.

(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 petitioner 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;

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

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD). No.13585 of 2024

WEB COPY

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].

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

sd/-
20/08/2024

/ TRUE COPY /

20/08/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE No.II SIVAKASI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
CENTRAL SUB JAIL , AT VIRUDHUNAGAR PRISON.

4 THE SUB INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI.
VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.13585 of 2024

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

+1 CC to M/s.V.PANJALI RAJAN, Advocate (SR-10106[I] dated 20/08/2024)

ORDER

IN

CRL OP(MD) No.13585 of 2024

Date :20/08/2024

SS/GS/SAR- /20/08/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023