



CRL OP(MD). No.13521 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 19/08/2024

PRESENT

**The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.13521 of 2024**

1. Mohan,
2. Kannan,
3. Sathishkumar,

... Petitioners/ Accused Nos.3 to 5

Vs

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

... Respondent/Complainant

For Petitioners : Mr.S.M.Anantha Murugan, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :- For Bail in Crime No.374/2024 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 on 30.07.2024 for the offences punishable under * **Section 288 BNS, 2023 and Sections 9(B) (1)(a) of the Indian Explosives Act, 1884 and Section 4(a) of the Explosive Substances Act, 1908**, in crime No.374 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were illegally

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manufacturing fire crackers. Hence, the complaint.

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 nature of allegation against the petitioners that they were labourers in a Crackers factory, which is being run without license and considering the fact that they are in jail from 30.07.2024, I am inclined to grant bail to the petitioners on certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are 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.II, Sivakasi, Virudhunagar District;

(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 two 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;
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(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 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/-
19/08/2024

(*) Corrected as per order of the Court
dated 20.08.2024 in CRL OP(MD)
No.13521 of 2024)

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

LS

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 19.08.2024 ALREADEY
DESPATCHED**

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

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2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION
VIRUDHUNAGAR DISTRICT.

4. THE SUPERINTENDENT,
DISTRICT JAIL, VIRUDHUNAGAR.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-10067[I] dated
19/08/2024)

ORDER
IN

CRL OP(MD) No.13521 of 2024
Date :19/08/2024

PSP/ /SAR /19.08.2024/ 4P/ 7C
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