



CRL OP(MD). No.15640 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15640 of 2024

M.Karuppasamy

... Petitioner/ Accused 2

Vs

The State of Tamilnadu,
Rep by the Sub-Inspector of Police,
Alangulam Police Station,
Alangulam,
Viruthunagar District
Crime No.111/2024

... Respondent/ Complainant

For Petitioner : M/s.S.Selvakumar
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.111/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent



CRL OP(MD). No.15640 of 2024

WEB COPY

police for the offences punishable under sections 9(B)(1)(a) of the Indian Explosive Act in Crime No.111 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent police checked one warehouse/godown, at that time, he found some explosive materials there, and the same were recovered. Then, the respondent police had lodged the complaint as against the petitioner and another for having tried to run a cracker unit without any license. Hence, this case.

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

4. Considering the nature of the allegation that the petitioner tried to run a cracker unit without license, and considering the fact that there are no further antecedents as against the petitioner herein, and also considering the argument of the learned counsel for the petitioner that he will file an affidavit that they will not open the cracker unit until they get license, I am inclined to enlarge the petitioner on anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Sattur, Viruthunagar



CRL OP(MD). No.15640 of 2024

District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) As undertaken by the learned counsel for the petitioner, the petitioner shall file an affidavit, before the trial Court, to close the cracker unit and to open the same only after getting license.

(c) the petitioner 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 the interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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



CRL OP(MD). No.15640 of 2024

in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(g)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN
TO

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

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

3 THE SUB-INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
ALANGULAM,
VIRUTHUNAGAR DISTRICT.

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

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-11391[I] dated 19/09/2024)



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CRL OP(MD). No.15640 of 2024

ORDER

IN

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Date :18/09/2024

SA/JGB/SAR. /01.10.2024/5P/6C

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