



CRL OP(MD). No.15899 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 23/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15899 of 2024

Sankar @ Ramsankar

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,  
Rep. by the Inspector of Police,  
Maraneri Police Station,  
Virudhunagar District.  
Crime No. 111/2024..

... Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,  
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 111 of 2024 on the file of the Respondent police.



CRL OP(MD). No.15899 of 2024

ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 288 BNS, 2023 and Section 9(B)(1)(a) of Indian Explosives Act, in Crime.No.111 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that without valid licence the petitioner herein and other accused were running the cracker units. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl side) appearing for the respondent Police and perused the materials available on record.

4. Considering the fact that the petitioner is a Manager in a cracker unit which was manufacturing the crackers without valid license, even during the period in which the license was suspended and that undertaking given by the learned counsel for the petitioner that the petitioner will not be involved in such manufacturing without license, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



**CRL OP(MD). No.15899 of 2024**

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Sivakasi, Virduhunagar 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 per the undertaking, the petitioner shall file an affidavit that whether working as a manager or otherwise, he will not involve in manufacturing crackers without licence.

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;



CRL OP(MD). No.15899 of 2024

WEB COPY

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

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

sd/-  
23/09/2024

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/10/2024

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

TRP

TO

1. The Judicial Magistrate No.I, Sivakasi, Virduhunagar District

<https://www.mhc.tn.gov.in/judis>



**CRL OP(MD). No.15899 of 2024**

2. Do-Through The Chief Judicial Magistrate,  
Viruthunagar District @ Srivilliputhur

3. The Inspector of Police,  
Maraneri Police Station,  
Virudhunagar District.

4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate ( SR-11672[I] dated  
24/09/2024 )

ORDER  
IN  
CRL OP(MD) No.15899 of 2024  
Date :23/09/2024

RK/JGB (10/10/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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