



CRL OP(MD). No.15921 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

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Suresh,

... Petitioner/ Accused 7

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No. 807/2016.

... Respondent/Complainant

For Petitioner : MR.Saravanan. N,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner/ Accused No.7 on bail in Crime No. 807/2016 on the file of the Respondent police in connection with S.C.No. 107/2017 on the file of the Additional District and Sessions Judge, Srivilliputhur.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner/ Accused No.7, on bail in Crime No.



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807/2016 on the file of the Respondent police in connection with S.C.No. 107/2017 on the file of the Additional District and Sessions Judge, Srivilliputhur.

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2. The petitioner/ Accused, who was arrested and remanded to judicial custody on 15.03.2023 for the offences punishable under Sections 420, 326 and 304 I.P.C r/w. Section 109 IPC and Section 9(B) (1) (b) of Indian Explosives Act, 1884 and Section 4 of TNPPDL Act, 1992, in crime No. 807 of 2016 on the file of the respondent police, seeks bail.

3. Earlier the petitioner was granted bail in Crime No.807 of 2016 and in S.C, stage he absconded. After filing charge sheet, as the summon could not be served upon the petitioner, the trial Court, has issued non bailable warrant 09.01.2020, for appearance and he was arrested on 15.03.2023.

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

5. Considering the overall facts and circumstances of the case and considering the fact that the petitioner is arrayed as A1 and considering the allegation that by negligently loading the crackers, the explosion was caused, on account of which, nine persons died and the petitioner was absconding for a period of three years , and thereafter he was arrested on 15/03/2023 and totally 104 witnesses have to be examined, sofar P.W.1 to P.W.20 have been examined and therefore, the trial will



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take some more time and the petitioner is in jail from March 2023, I am inclined to enlarge the petitioner on bail with 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 Additional District and Sessions Judge, Srivilliputhur;

(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 appear before the trial Court on all hearing without fail; the petitioner shall also keep informed the investigating officer about his whereabouts whenever he is moving and he shall normally reside only at Ramanathapuram and shall inform the investigating officer if he is planning to move out of Ramanathapuram for whatever purpose.

(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 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-
23/09/2024

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23/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SRIVILLIPUTHUR.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

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

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



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ORDER

IN

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Date :23/09/2024

SA/SAR. /23.09.2024/5P/5C

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