



CRL OP(MD). No.15961 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15961 of 2024

Selvam

... Petitioner/ Accused NO.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Natham Police Station, Dindigul District.
Crime No. 468/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Sarvagan Prabhu,
Advocate.

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

For intervenor : Mr.V.Vigneshwari, Advocate

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 468 of 2024 on the file of the respondent police.

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



CRL OP(MD). No.15961 of 2024

ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 27.08.2024 for the offences punishable under Sections 288, 105, 238(b) of BNS and Section 9(B)(1)(a) of the Indian Explosives Act, 1884 in crime No. 468 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that even after the expiry of license, the petitioner herein along with other accused have been running a cracker unit and in the accident two persons died. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and the learned counsel for the intervenor and perused the materials available on record.

4. Considering the over all facts and circumstances of the case that the petitioner along with the other accused have been running a cracker unit even after the expiry of license and in an accident two persons died and considering the argument of the learned counsel for the petitioner that there are totally six accused are involved in this case and as far as the accused Nos. A1, A3 and A4 are concerned the portion of the



CRL OP(MD). No.15961 of 2024

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compensation is being paid and they have drawn three Demand Drafts (i) in favour K.Muthulakshmi, dated 25.09.2024 bearing Demand Draft No.866895430, Indian Overseas Bank, Natham for a sum of Rs.2,50,000/- (ii) in favour of S. Annalakshmi, dated 26.09.2024 bearing Demand Draft No. 540039, Indian Bank, High Court Branch, Madurai for a sum of Rs.1,25,000/- and (iii) in favour of M. Rameshkumar, dated 26.09.2024 bearing Demand Draft No. 540040, Indian Bank, High Court Branch, Madurai for a sum of Rs.1,25,000/- respectively. In respect of the first family deceased Kannan, her wife Muthulakshmi was present before this court and received the Demand Draft for a sum of Rs.2,50,000/- and in respect of the other family viz., the deceased Muneeswaran, his brother Rameshkumar and sister Anna Lakshmi are present before this court and to whom also a sum of Rs.1,25,000/- each has been paid by way of two Demand Drafts, I am inclined to enlarge the petitioner on bail.

5. 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, Natham.

(i)the sureties shall affix their photographs and left thumb



CRL OP(MD). No.15961 of 2024

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 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 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].



CRL OP(MD). No.15961 of 2024

(vi) if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-
26/09/2024

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26/09/2024

Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Natham.
2. Do-Through The Chief Judicial Magistrate,
Dindugal District.
3. The Superintendent, District Prison, Dindigul.
4. The Inspector of Police,
Natham Police Station, Dindigul District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-11826[I] dated 26/09/2024)

ORDER

IN

CRL OP(MD) No.15961 of 2024

Date :26/09/2024

RK (26/09/2024) 5P / 7C

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