



CRL OP(MD). No.16763 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16763 of 2024

Balamurugan,

... Petitioner/ Accused No.1

Vs

**State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District
(Crime No. 249 of 2024).**

... Respondent/Complainant

For Petitioner : M/s.R.Ilayaraja, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 249 of 2024 on the file of the respondent police



CRL OP(MD). No.16763 of 2024

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 288, 125(b), 105 of BNS, 2023 r/w. 9 (B)(1)(a) of Indian Explosive Act, 1884 in Crime.No.249 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that without adhering any safety measures the petitioner herein and other accused have been running a cracker unit and in the accident two persons died. 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 nature of allegations that the petitioner is running the cracker unit and that an accident occurred in which two persons died and considering the submissions made that to the victims's family a sum of Rs.5,50,000/- each has already been paid, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

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.II, Sathur, Virudhunagar

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



CRL OP(MD). No.16763 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) the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

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

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

(e) 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;



CRL OP(MD). No.16763 of 2024

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

sd/-
01/10/2024

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

TRP

TO

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

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

3 THE SUB INSPECTOR OF POLICE,
VEMBAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-12022[I] dated 01/10/2024)



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CRL OP(MD). No.16763 of 2024

ORDER
IN
CRL OP(MD) No.16763 of 2024
Date :01/10/2024

PSP/ JGB /SAR /17.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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