



CRL OP(MD). No.20887 & 20815 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20887 & 20815 of 2024

Kumaran

... Petitioner/ Accused No.5
in CrI.O.P(MD) No.20887 of 2024

Mohammed Rasik

... Petitioner/ Accused No.6
in CrI.O.P(MD) No.20815 of 2024

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.P. Pattinam Police Station,
Ramanathapuram District.
(Cr. No. 96 of 2024).

... Respondent/ Complainant in both petitions

For Petitioners : Mr.K.R.Manimaran
CrI.O.P(MD) No.20887 of 2024

Mr. D.Rameshkumar
CrI.O.P(MD) No.20815 of 2024

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor (in both cases)



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PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :-

For Bail in Crime No. 96 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/ A8, A6, who were arrested and remanded to judicial custody on 26.10.2024 and 19.11.2024 respectively for the offences under Section 5(A) of Explosive Substance Act in Crime No.96 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that A1 and A10 were travelling in a two wheeler and they fell down from the two wheeler and at that point of time, they were found in possession of 400 Gelatin sticks, 400 Detonator, 25 Fuse Wires. Both were arrested and based on their confession, it came to light that A4 had actually supplied these explosive substances to them. A4 was arrested and from him 2065 Gelatin sticks, 95 Detonators and 212 Fuse Wires were seized. It came to light that the other accused persons were using these explosive substances while going for fishing without any permission or license. There are totally 15 accused persons in this case



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and the petitioners have been arrayed as A6 and A8.

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3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners have suffered incarceration from 26.10.2024 and 19.11.2024 respectively and the fact that A1 to A3 were enlarged on statutory bail by the Court below by order, dated 07.12.2024 and there is one previous case as against A6 for offence under Section 304(A) IPC and no previous cases against A8, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvadanai, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the

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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police every Monday and Friday at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
16/12/2024

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16/12/2024
Sub-Assistant Registrar (PA-1)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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1. The Judicial Magistrate, Thiruvadanai,
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Superintendent, District Jail, Ramanathapuram
4. The Inspector of Police,
S.P. Pattinam Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :16/12/2024

RK(16/12/2024) 5P / 6C

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