



CRL OP(MD). No.21615 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21615 of 2024

1. M.Thulasi @ Manikanda Boopathi,

2. K.Muthukamu

... Petitioners/ Accused No.1 & 2

Vs

The Sub-Inspector of Police,

Thevaram Police Station,

Thevaram, Theni -District.

(Crime No 207 of 2024)

... Respondent/Complainant

For Petitioners : Mr.R.Manickam, Advocate.

For Respondent : Mr.S.Ravi, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.207 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, who were arrested and remanded to judicial custody on 26.11.2024 for the offences under Sections 296(b), 115(2), 288, 325, 351(3) of BNSS, 2023 and Section 3 of Explosive Substance Act, 1908 in crime No.207 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the defacto complainant's dog died due to an explosion that was caused in the property belonging to the petitioners where they



CRL OP(MD). No.21615 of 2024

WEB COPY

had used some detonating explosives. Based on this complaint, Accused Nos.1 and 2 were arrested and on their confession, it came to light that they are receiving this explosive substances from Accused Nos.3 to 7 and it is being used in their property to chase away the animals coming near the property. There are totally seven accused persons in this case and the petitioners have been arrayed as Accused Nos.1 and 2.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the Police were not able to seize any explosive substances and the allegations have been made against the petitioners based on the confession of the petitioners and also taking note of the fact that the petitioners have suffered incarceration from 26.11.2024 and there are no previous cases against Accused No.1 and there is one previous case against Accused No.2, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is 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, Bodinayakkanur and on further conditions that:-



CRL OP(MD). No.21615 of 2024

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[a] 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation.

[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 BNSS, 2023.

sd/-
09/12/2024

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09/12/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.21615 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, BODINAYAKKANUR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT JAIL, THENI.

4 THE SUB-INSPECTOR OF POLICE, THEVARAM POLICE STATION,
THEVARAM, THENI DISTRICT.

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

+2 CC to M/s.R.MANICKAM, Advocate (SR-15117[I] dated 09/12/2024)

ORDER
IN

CRL OP(MD) No.21615 of 2024

Date :09/12/2024

RS/IT/SAR-(09.12.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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