



CrI.O.P.No.1980 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.1980 of 2025

Imthiyash

... Petitioner

Vs.

State Rep. by The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
(Crime No.226 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.226 of 2024 pending on the file of the respondent police.

For Petitioner : Mr. E. Kannadasan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)



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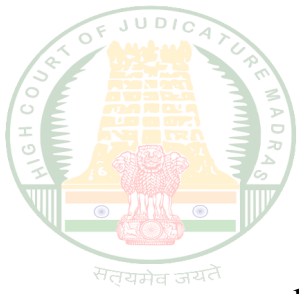
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ORDER

Petition seeking bail in respect of Crime No.226 of 2024 registered for the offences punishable under Section 9(B)(1)(b) of Indian Explosives Act and Section 5(a) of Explosive Substances Act, is on board for consideration.

2. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case. He also submitted that the petitioner is in custody from 19.12.2024 and the co-accused has been enlarged on bail by this Court vide order dated 10.01.2025 in CrI.O.P.No.588 of 2025, further, the petitioner is also ready to abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of bail to the petitioner is that, the petitioner herein is the prime accused in this case and she was in illegal possession of 294 nos. of electric detonators, 78 nos. of Gelatin sticks, 30 bundles safety fuse and 50 kgs. of black powders and she had also sold explosive articles to the co-



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accused persons.

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4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, including the FIR.

5. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels on either side, and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Krishnagiri** and on further conditions that:

[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;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10:30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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]*;

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

28.01.2025

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To

1. The Judicial Magistrate No.II,
Krishnagiri.
2. The Inspector of Police,
Maharajakadai Police Station,
Krishnagiri District.
3. The Superintendent,
Special Prison for Women, Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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