



Crl.O.P.No.1209 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

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THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.1209 of 2025

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... Petitioner

Vs.

The State represented 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 Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.226 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

Heard the learned counsel on both sides.



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2. The petitioner is figured as the second accused in Crime No.226 of 2024 on the file of the respondent Police for the offences punishable under Section 9(B)(1)(b) of Indian Explosives Act and Section 5(a) of Explosive Substances Act. The petitioner was arrested on 19.12.2024.

3. The petitioner claims to be the seller of explosive substances for quarrying and he had sold the explosive substances to the first accused, who was found to be in illegal possession of 294 Electric Detonators, 78 Gelatin Sticks, 30 bundles of Safety fuse and 50 kilograms of black powders. The petitioner was arrested based on the confession statement of the first accused. The petitioner is having one previous case. Though the allegation made against the petitioner is serious in nature, his continued incarceration will not serve any purpose. Further, taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned **Judicial Magistrate No.II, Krishnagiri** and on further conditions that;



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[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police everyday at 10.00 a.m. until further orders;

[d] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[f] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

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G.R.SWAMINATHAN., J.

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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,
Sub Jail, Dharmapuri District.
4. The Public Prosecutor,
High Court of Madras.

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