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CRL OP NO. 6249 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 6249 of 2025

Hariprasanth

Petitioner/A2

Vs

State Rep. By
The Sub-Inspector of Police,
Melchengam
Thiruvannamalai District.
(Crime No.61 of 2025)

Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on anticipatory bail in the event of arrest in Crime No. 61 of 2025 pending on the file of the respondent police.

For petitioner	:	Mr.Thangavel M R
For Respondent	:	Mr.S.Santhosh, Government Advocate (Crl.Side)

**ORDER**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 110,125(b) of the BNS and Sections 9(B)(1)(a), 9(B)(1)(b) of the India Explosives Act 1884 and Section 3 of the Explosive Substances Act 1908 in Crime No.61 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had supplied country bombs to the first accused; that he had kept it in the terrace of his house; that when the de facto complainant's son was playing, all the country bombs exploded and caused serious injuries to the de facto complainant's son aged 15 years.

3. The learned counsel appearing for the petitioner submitted that the allegations are false, that the petitioner was sought to be implicated on the confession of the first accused; that he had not supplied any country bombs to the first accused and in any case custodial interrogation of the petitioner is not required for the purpose of investigation and hence, sought for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and fairly submitted that the petitioner was implicated on the confession of the first accused and that there is no other material to connect the petitioner/second accused to the alleged occurrence.

5. 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.

6. Considering the above said facts, the nature of allegations, the fact that the first accused was arrested, the petitioner is sought to be implicated on the confession of the first accused, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days



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from the date on which the order copy made ready, before **the learned Judicial Magistrate, Chengam** on condition that the petitioner shall execute a separate 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday at 10:30 a.m., until further orders.

[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].



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

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vca

To

1. The Sub-Inspector of Police,
Melchengam
Thiruvannamalai District.
2. The Judicial Magistrate, Chengam
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

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