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CrI.O.P.No.6912 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.6912 of 2025

Sabarivasan @ Saravanapriyan

...Petitioner/Accused 1

Vs.

State rep by
The Station House Officer,
Thirubuvanai Police Station,
Puducherry.

(Crime No.19 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.19 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.G.Mohana Krishnan

For Respondent : Mr.K.S.Mohandoss
Additional Public Prosecutor
Puducherry

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 15.02.2025, seeking bail



in Crime No.19 of 2025 registered for the offence under Sections 3 and 4 of Explosive Substances Act, 1908 r/w Section 3(5) of BNS, 2023.

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2.It is the case of the prosecution that the defacto complainant and the father-in-law of the petitioner one Mr.Vasudevan are friends; that the petitioner had married Mr.Vasudevan's daughter without consent of the parents; that the defacto complainant therefore had questioned the petitioner; that the petitioner therefore along with the other accused had gone to the mess belonging to the defacto complainant and thrown a country made bomb and caused damages to the roof and wall of the mess. Hence, the case.

3.The learned counsel for the petitioner would submit that even according to the prosecution case, there was no damage to the mess and none was injured; that the accused had used crackers to make the country made bomb and that the petitioner has no bad antecedents and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Additional Public Prosecutor, Puducherry,



reiterated the prosecution case and submitted that the petitioner has committed very serious offence of throwing country made bombs in the mess and hence opposed the grant of bail.

5. Admittedly, there was no damage to either the property of the mess or no injury to anyone in the attack.

6. Considering the aforesaid facts, the nature of allegations and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 **Judicial Magistrate, - VI, Puducherry**, 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 stay at Chennai and report before the Flower Bazaar Police Station, Chennai, everyday 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 B.N.S.

11.03.2025

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Copy to:

- 1.The Station House Officer,
Thirubuvanai Police Station,
Puducherry.
- 2.The Judicial Magistrate – VI, Puducherry.
- 3.Central Prison, Puducherry.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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