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Crl.O.P.No.7267 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.7267 of 2025

Sathiyaraj
S/o. Palani

....Petitioner/Accused
Rank not known

Vs

The State Rep. by
The Inspector of Police,
Komarapalayam Police Station,
Namakkal District
(Crime No.68 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No.68 of 2025 on the file of the respondent police.

For Petitioner	: Mr. Camyles Gandhi, W.
For Respondent	: Mr. S.Balaji Government Advocate (Crl. Side)



ORDER

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2. The case of the prosecution is that the petitioner had purchased the explosive including Detonators from the other accused; that on routine vehicle inspection, an Eicher Vehicle bearing Registration No.TN47 AM 5938 was intercepted by the respondent; that 4675 Kgs of Ammonium Sulfate was found in the car; and that the petitioner was arrayed as A11 on the confession of the arrested accused that the petitioner along with A2 had purchased the explosives for supplying to A12 and thus committed the aforesaid offences.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the said offence; that the petitioner is implicated in the case only on the confession of the other co-accused; and that the co-accused from whom the explosives were



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purchased were granted bail by this Court in Crl.O.P. Nos. 8490 and 8564 of 2025 dated 21.03.2025, on the ground that they have valid license to sell the explosives, and prayed 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 submitted that the petitioner is implicated on the confession of the co-accused and that the petitioner had played active role along with A2 for purchasing the explosives and selling in the local area for personal gain, and strongly opposed to grant of anticipatory bail to the petitioner.

5. Considering, the fact that the petitioner is implicated on the confession of the co-accused; that no explosive was seized from him; that the other co-accused have been granted bail by this Court; and that the petitioner has no bad antecedents, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail



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in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Komarapalayam,** on condition that the petitioner shall 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 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 daily 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.



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[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

26.03.2025

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To

1. The Judicial Magistrate, Komarapalayam
2. The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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