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Crl.O.P.No.23317 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23317 of 2025

Ayyappan @ Iyyappan

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.313 of 2025)

... Respondent

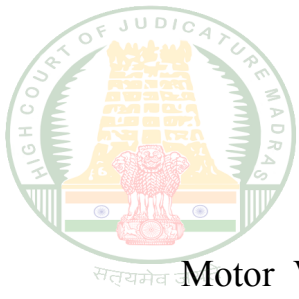
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.313 of 2025 on the file of the Inspector of Police, Kunnam Police Station, Perambalur District.

For Petitioner : Mr.R.Sivakumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.08.2025, for the offence punishable under Sections 3(a) of Explosive Substances Act, 9(B)(1)(b) and 12 of Indian Explosives Act 1884, 190(3) of



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Motor Vehicles Act and 110, 288 and 125(a) of BNS, 2023, in Crime No.313 of 2025, registered on the file of the respondent, seeks bail.

2. On reading of the First Information Report, it is seen that this petitioner, who is A3 is a shop owner and seller of crackers. He sold crackers to A1, which were carried by A1 and got exploded due to the negligence of A1.

3. The learned counsel appearing for the petitioner submits that the petitioner is a licensed dealer in crackers and that only due to the negligence of A1, the accident had taken place, in which A1 as well as the passers by sustained injuries. He further submits that the petitioner's explosive licence, though expired on 30.03.2025, the petitioner has already submitted his application on 31.03.2025 for renewal of license and the same is pending with the authorities.

4. Considering the fact that due to the negligence of A1, this petitioner is vigorously held liable and prosecuted, and that the petitioner has been in prison since 02.08.2025, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



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Thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Kunnam**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

22.08.2025

drl



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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The Judicial Magistrate,
Kunnam

2.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

3.The Superintendent,
Central Prison, Trichy.

4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

drl

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