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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.1601 & 1611 of 2025

Muthusami

... Petitioner/ Accused No.6
in Crl.O.P.(MD).No.1601 of 2025

Pandi @ Pandian

... Petitioner/ Accused No.3
in Crl.O.P.(MD).No.1611 of 2025

Vs

The Sub-Inspector of Police,
Thevaram Police Station,
Thevaram, Theni-District.
(Crime No. 207/2024)

... Respondent/Complainant

For Petitioners : Mr.R.Manickam, Advocate.

For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :-

Petitions for Bail in Crime No.207 of 2024 on the file of the respondent police.

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused Nos.3 & 6, who were arrested and remanded to
judicial custody on 31.12.2024 for offence under Sections 296(b), 115(2), 288, 325, 351



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(3) of BNS 2023 and Section 3 of Explosive Substance Act, 1908 in Crime No.207 of 2024, on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the defacto complainant's dog died due to an explosion that was caused in the property belonging to the petitioners where they had used some detonating explosives. Based on this complaint, Accused Nos.1 and 2 were arrested and on the confession, it came to light that they are receiving this explosive substances from Accused Nos.3 to 7 and it is being used in their property to chase away the animals coming near the property. There are totally seven accused persons in this case and the petitioners have been arrayed as Accused Nos.3 and 6. The allegation against these petitioners is that they have helped in the manufacturing of explosive substances.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the Police were not able to seize any explosive substances and the allegations have been made against the petitioners based on the confession of the petitioners and also taking note of the fact that the petitioners have suffered incarceration from 31.12.2024 and considering the fact that there are no previous cases against the petitioners, this Court is inclined to grant bail to the petitioners



subject to the following conditions.

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5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Bodinayakkanur 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.

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 of BNS, 2023.

sd/-
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29/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

4 THE SUB-INSPECTOR OF POLICE,
THEVARAM POLICE STATION,
THEVARAM, THENI-DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2 CC to M/s.R.MANICKAM, Advocate (SR-1015[I] & SR-1016[I] dated
29/01/2025)



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ORDER
IN

CRL OP(MD). Nos.1601 & 1611 of 2025

Date :29/01/2025

RS/IT/SAR-(29.01.2025) 5P 8C

Madurai Bench of Madras High Court is issuing
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