



CRL OP(MD). No.2084 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL OP(MD). No.2084 of 2025

Chellapandi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Vaikai Dam Police Station, Theni.
Crime No.05 of 2025.

... Respondent/Complainant

For Petitioner : Mr.M.Ragul, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.05 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused who was arrested and remanded to judicial custody on 16.01.2025 for the offences under Sections 288 of BNS (hereinafter referred to as new penal code) and 3 of Explosive Substances Act, 1908 in Crime No.5 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner without any permission or licence had used explosives while doing the mining operation and based on the same, the FIR was registered in this case. This activity was captured by one of the villager in a mobile phone and hence he was threatened and attacked which resulted in yet



CRL OP(MD). No.2084 of 2025

another case registered against the petitioner in Crime No.3 of 2025 by the very same respondent police. In that case also, the petitioner was arrested. Apart from that the petitioner is also said to have threatened the officials when they questioned.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the entire incident had taken place and taking note of the fact that the petitioner was granted bail in the other case registered in Crime No.3 of 2025 by the learned Judicial Magistrate, Aundipatti and also considering the fact that there are three previous cases against the petitioner for IPC offences and also of the fact that this petitioner has already suffered incarceration from 16.01.2025, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate, Aundipatti, 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 petitioner shall report before the respondent police every Monday and



CRL OP(MD). No.2084 of 2025

Friday at 10.30 a.m for a period of eight weeks and thereafter, as and when required
for interrogation.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.

sd/-
31/01/2025

/ TRUE COPY /

31/01/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



CRL OP(MD). No.2084 of 2025

TO

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1 THE JUDICIAL MAGISTRATE, AUNDIPATTI.

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

3 THE OFFICER INCHARGE, SUB JAIL, PERIYAKULAM.

4 THE INSPECTOR OF POLICE, VAIKAI DAM POLICE STATION, THENI.

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

+1 CC to M/s.M.RAGUL, Advocate (SR-1233[I] dated 31/01/2025)

ORDER

IN

CRL OP(MD) No.2084 of 2025

Date :31/01/2025

RS/IT/SAR-(31.01.2025) 4P 7C

Madurai Bench of Madras High Court is issuing
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