



CRL OP(MD). No.9027 of 2025

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

Date : 13.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9027 of 2025

Yasar Arafath,  
S/o.Jalaludheen

...Petitioner / Accused No.7

Vs

1.The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Melapalayam Police Station,  
Tirunelveli City.  
(Crime No.354 of 2024)

2.The Inspector of Police,  
Anti-Terrorism Squad (ATS),  
Madurai.

... Respondents/Complainants

For Petitioner : Mr.A.Subramanian,  
Advocate.

For Respondents: Mr.B.Thanga Aravindh,  
Government Advocate  
(Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.354 of 2024 on the file of the respondent police.



**CRL OP(MD). No.9027 of 2025**

**ORDER** : The Court made the following order :-

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The petitioner / accused, who was arrested and remanded to judicial custody on 25.01.2025 for the offences under Section 3 of the Explosive Substances Act, 1908 @ Sections 113(ii)(b), 61(2), 294, and 196 of the Bharatiya Nyaya Sanhita, 2023, and Section 3 of the Explosive Substances Act read with Sections 16, 18, 19 and 20 of the Unlawful Activities (Prevention) Amendment Act, 2008 (UAPA Act), in Crime No.354 of 2024 on the file of the respondent police, seeks bail.

2. The learned Government Advocate (Criminal Side) would submit that the accused is said to have committed the offence under Sections 16, 18, 19 and 20 of the Unlawful Activities (Prevention) Amendment Act, 2008 along with IPC Act. Hence, the petitioner ought to have preferred appeal under Section 21 of the National Investigation Agency Act, 2008, against the dismissal of the bail petition as per the Hon'ble Full Bench judgment in CrI.O.P. No.13123 of 2020 dated 12.07.2021.

3. The learned counsel for the petitioner would submit that the case was registered and investigated by State Agency and hence, bail petition is maintainable before the Hon'ble Single Judge under Section 438 of the BNSS, 2023.



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4. In view of the Hon'ble Full Bench judgment in Crl.O.P. No.13123 of 2020, this court declines to accept of the argument of the learned counsel for the petitioner.

5. Accordingly, this Court disposed of Crl.OP(MD).No.9027 of 2025 with liberty to file appeal before the Hon'ble Division Bench as per the Hon'ble Full Bench judgment in Crl.O.P. No.13123 of 2020 and registry of this Court is hereby directed to return the original order copy.

sd/-  
13/06/2025

/ TRUE COPY /

/07/2025  
Sub-Assistant Registrar (CS-I/II/III/IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

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WH TO COPY

- 1.THE INSPECTOR OF POLICE,  
MELAPALAYAM POLICE STATION,  
TIRUNELVELI CITY.
- 2.THE INSPECTOR OF POLICE,  
ANTI-TERRORISM SQUAD (ATS),  
MADURAI
- 3.THE SUPERINTEDENT,  
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.
- 4.THE SECTION OFFICER,  
ENGLISH RECORDS,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN

CRL OP(MD) No.9027 of 2025  
Date :13/06/2025

PR/30.06 .2025 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023