



CRL OP(MD). No.8973 of 2025

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

Date : 21/05/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8973 of 2025

Sivabharathi,
S/o Rajendran,
Colony Street, Orathur,
Budalur Taluk,
Thanjavur District..

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
Crime No. 93/2025.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 93 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /accused No.2 who was arrested and remanded to judicial custody on 30.04.2025 for the offences under section 288 BNS r/w. Section 3 of Explosive



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Substances Act, 1908, in Crime No.93 of 2025 on the file of the respondent police
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seeks bail.

2. The case of the prosecution is that due to previous enmity, the accused have thrown one country made explosive item into the house of the defacto complainant, hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in custody from 30.04.2025, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that due to previous enmity, the accused have thrown one country made explosive item into the house of the defacto complainant, hence he objected to grant bail to the petitioner. He would further submit that no one sustained injury in this occurrence.

5. Taking into consideration the facts and circumstances of the case and the fact that no one sustained injury and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. 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 thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate Court,



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Thiruvaiyaru, Thanjavur District. and on further conditions that :-

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[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 stay in Sivagangai District and report before the Inspector of Police, Sivagangai Town Police Station, Sivagangai respondent police daily twice ie. 10.30 a.m. and 05.30 p.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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 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]*.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 BNS.

sd/-

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Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

CP

TO

1. Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate, Thanjore District at Kumbakonam.
3. The Superintendent, District Prison, Thanjavur, Thanjavur District.
4. The Inspector of Police, Thirukattupalli Police Station, Thanjavur District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Copy to

The Inspector of Police, Sivagangai Town Police Station, Sivagangai.

ORDER IN

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Date :21/05/2025

PP/23.05.2025 4P/ 7C

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