



CRL OP(MD). No.10089 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Senthilkumar,
S/o.Kottairaja

...Petitioner / Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.260 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.M.Karunanithi,
Advocate.

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

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

PRAYER :- For Bail in Crime No.260 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / accused, who was arrested and remanded to judicial custody on 12.05.2025 for the offences under Sections 5A(a) of the Indian Explosive Substances Act, 1908, in Crime No.260 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.12.2024, Accused No.4 received explosive substances and kept them in her house. Explosive substances were recovered from the house of the petitioner. Based on the complaint given by the VAO, an FIR came to be registered. Explosive crackers such as 130 gelatin sticks, 6 fuse wires, and 200 detonators were found, which had been transported on a two-wheeler and kept in the house of the petitioner. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that A2 and A3 were granted anticipatory bail by the learned Principal Sessions Judge, Ramanathapuram. He would further submit that the petitioner is in custody from 12.05.2025. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that there are totally three accused persons in this case and the petitioner has been arrayed as A1. He would further submit that most of the investigation has been completed. He would further submit that there are fifteen previous cases against the petitioner, out of which fourteen cases are similar in nature, and one case pertains to the POCSO Act. He would further submit that the alleged properties have been recovered from the accused persons. He, however, would submit that at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration and also the fact that the alleged properties have already been recovered, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:



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7. 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, Thiruvadanai, 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 furnish his residential address and mobile number to the learned Judicial Magistrate Court, Thiruvadanai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court, Thiruvadanai.

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

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



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[e] the petitioner shall not tamper with evidence or witness 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 of BNS, 2023.

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-

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



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PAL
TO

1 THE JUDICIAL MAGISTRATE
THIRUVADANAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, RAMNAD.

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

ORDER
IN

CRL OP(MD) No.10089 of 2025
Date :18/06/2025

SS/SAR- /18/06/2025/ 6P/6C

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