



Crl.O.P.(MD)No.23610 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.23610 of 2025

Kumaresan

... Petitioner

Vs.

State of Tamil Nadu Rep.by,
The Inspector of Police,
Kadayam, Tenkasi District.
(Crime No.407 of 2025)

... Respondent

For Petitioners : Mr.N.Shyllappa Kalyan

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.407 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9(B)(1)(b) of the Indian Explosives



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Act and Section 288 of Bharatiya Nyaya Sanhita (BNS), in Crime No.407 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant was travelling from Vengatampatti to Vadamalapatti road in West to East direction, one Mr. Rathinasamy who is accused No.1 in this case, at his land south side to the road using the explosives, with higher decibel volume to break the rock. The rock was broken into pieces and at that time one Sudalaimani who is arrayed accused No.2 in this case transported the rock in the vehicle bearing Registration No.TAL 0166. Hence, the apprehension of arrest. Hence, a case has been registered as against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner has not committed any offence. He seeks this Court to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioner are serious in nature. Further, the petitioner has one previous case against him.



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5.Considering the fact that the petitioner is a license holder for possessing explosives, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute 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, Tenkasi, within a period of fifteen days from the date on which the order copy made ready and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police as and when required.

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

[d]the petitioner 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



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petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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.

18.12.2025

TMG

TO

1. Judicial Magistrate,
Tenkasi.

2.The Inspector of Police,
Kadayam,
Tenkasi District.

3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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S.SRIMATHY,J

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ORDER
IN
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