



CRL OP(MD) No.23004 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.23004 of 2024

1. Velu

2. Balamurugan @ Pattasu Balu

... Petitioners/ Accused No.5 & 9

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
Cr.No.96 of 2024

... Respondent/ Complainant

For Petitioners : Mr.K.R.Manimaran, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.96 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 5(a) of Explosive Substances Act in Crime No.96 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 and A10 were travelling in a two wheeler and they fell down from the two wheeler and at that point of time, they were found in possession of 400 Gelatin sticks, 400 Detonator, 25 Fuse Wires. Both were arrested and based on their confession, it came to light that A4 had actually supplied these explosive substances to them. A4 was arrested and from him 2065 Gelatin sticks, 95 Detonators and 212 Fuse Wires were seized. It came to light that the other accused persons were using these explosive substances while going for fishing without any permission or license. There are totally 15 accused persons in this case and the petitioners have been arrayed as A5 and A9.

3.It is reported that instead of S.P.Pattinam Police Station, it has wrongly been mentioned as Thiruvadanai Police Station.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

5. Taking into consideration the facts and circumstances of the case and considering the fact that A1 to A3 were enlarged on statutory bail and A6 and A8



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were enlarged on bail by this Court and taking note of the fact that these petitioners are fishermen, who are said to have utilized the Explosive substances and also considering the fact that there are two previous cases against each of the petitioner, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners and 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.

[c] the petitioners shall report before the respondent police every Monday, Wednesday and Friday at 05.30 p.m for a period of six weeks and thereafter, as and



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when required for interrogation.

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[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

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

sd/-
08/01/2025

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/ 01 / 2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE
THIRUVADANAI, RAMANATHAPURAM DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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

3 THE INSPECTOR OF POLICE,
S.P. PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.23004 of 2024
Date :08/01/2025

PSP/ SKN /SAR /21.01.2025/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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