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Crl.O.P.No.5961 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

Crl.O.P.No.5961 of 2026

Sakthivel

... Petitioner

Vs.

State Rep. by The Inspector of Police,  
Anamalai Police Station,  
Coimbatore.  
(Crime No.75 of 2026)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.75 of 2026 on the file of the respondent police.

For Petitioner : Mr.C.Gunasekaran  
For Respondent : Mr.P.Dhileepan  
Government Advocate (Crl. Side)

### **ORDER**

The petitioner, who apprehends arrest for the alleged offence **under Section 5 of Explosive Substances Act, 1908 and Section 9 (B) (1) (b) of Explosive Act, 1884, in Crime No.75 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The main allegation against the petitioner is that the petitioner sold explosives such as gelatine sticks-178 nos, Electric detonators – 7 nos and



Nonel Detonators-100 nos, without having any licence. Hence, the case has been registered.

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3. The learned counsel for the petitioner submitted that the licence which stands in the name of M/s.Senthil Explosives wherein, the petitioner is arrayed as an occupier. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and upon instructions submitted that the petitioner selling explosives unauthorizedly in a black market and even according to the confession statement, the explosives were used to blast the rocks in the agricultural land. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel on both sides and also perused the materials available on record.

6. Considering the above, this Court is of the view that though there are



certain *prima facie* materials through the confession statement that the explosive materials have been misused the same are in respect of using such explosives in an agricultural land to break the rocks. In such view of the above factual position, and upon the consideration of licence possessed by the petitioner in the name of M/s.Senthil Explosives in Licence No.E/HQ/TN/22/377(E42667), this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate-I, Pollachi**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice,



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2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

**(c) The petitioner shall report before the learned District Munsif cum Judicial Magistrate, Sulur, twice a day at 10.30 a.m., and 5.30 p.m., for a period of eight weeks and thereafter, as and when required for interrogation before the respondent police;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

**09.03.2026**

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To:

- 1.The Judicial Magistrate-I, Pollachi.
- 2.The Inspector of Police, Anamalai Police Station, Coimbatore.
- 3.The Public Prosecutor, High Court of Madras.

**C.KUMARAPPAN, J.**

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