

CRL OP(MD). No.12215 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30/06/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

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1. Balaji
2. Bharath
3. Kannan
4. Umarani ... Petitioners/ Accused No.1 to 4

Vs

State of Tamilnadu Rep. By,
The Inspector of Police,
Masarpatti Police Station,
Tuticorin District.
Crime No. 119/2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No. 119 /2026 on the file of the respondent Police.

For Petitioners : Mr.Saravanan.P,
Advocate.

For Respondent : Mr.T.Lenin Kumar,
Counsel For State of TN (Crl.Side)

For Defacto Complainant : M/s.S.Meena
Advocate.

ORDER

The petitioners apprehend arrest for the alleged offence under



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Sections 288, 125(a), 125(b), 105 of BNS Act, 2023, and under Section 9(B)(1)(a) of the Explosives Act, 1884, in Crime No.119 of 2026, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the third petitioner was running a Fire Crackers Unit at Ayanrasapatti Village, Ettayapuram Taluk. The petitioners 1 & 2 are the son and the fourth petitioner is the wife of the third petitioner and they are also the partners of the said unit. The defacto complainant is one of the employees of the above said unit. On 21.06.2026, at about 05.20 p.m., after completion of work, when the defacto complainant and other employees stood in a line to receive their wages, a blast had occurred in the unit No.2 behind the place where the employees were standing, which resulted in debris falling; the employees were standing in the queue. Due to injuries, two persons succumbed and 28 persons sustained injuries. Hence, the present case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as



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alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the third petitioner is the occupier and petitioners 1, 2 & 4 are only the partners of the manufacturing unit, and they are also residing away from the place where the manufacturing is going on. The third petitioner was running the alleged manufacturing unit. According to him, this manufacturing unit is the licensed unit, and they handle only the production of aerial fireworks, and they use only charcoal, potassium nitrate, strontium nitrate, aluminum & bismuth for manufacturing, which are permissible by the government. Further, the foreman is the only person to regulate the activities of the laborers in the unit, and the petitioners herein are not responsible for any of the dereliction of duty committed by any of the other employees. He further submitted that the offences registered against the petitioners are all bailable offences except the offence under Section 105 of the BNS Act, 2023. However, the petitioners herein have not intentionally done anything in order to harm any of the individuals, more particularly, the employees of the alleged unit. He further submitted that the petitioners already paid a sum of Rs.5 lakhs as compensation and also a sum of Rs.50,000/- as funeral expenses to the family of the deceased.



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4. The learned counsel for the State of TN (Crl. Side), appearing for the respondent police, reiterated the prosecution case and, on instructions, submitted that there was illegal possession of sulphur and the same was used in the manufacturing of crackers, which is the root cause for the accident. Without sulphur, it may not be possible for blast, and the license for using sulphur for this unit is pending consideration before the District Collector. It is a clear case of violation of rules and regulations. Which resulted in causing injuries to the employees. The alleged occurrence took place only on 21.06.2026 and the investigation is at preliminary stage. Hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for one of the victims, namely, Jeyalakshmi, submitted that there are a lot of violations that have been made inside of the unit, and if the payments were made in the office room, the employees could not have sustained any injuries, and hence, there is a violation of rules and regulations. Hence, he opposed granting anticipatory bail to the petitioners.



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6. I have gone through the FIR and also perused the records, more particularly, the licence, which was issued for manufacturing crackers, etc.,

7. Admittedly, the manufacturer has a license to use various explosive substances, and the allegation against the accused is that the unit has used sulphur without any license, whereas these allegations have been disputed on the side of the petitioners on the ground that they have not used sulphur and they used only permitted explosive substances. Admittedly, while the employees were collecting their wages, the alleged accident happened. Further, it is also stated that the third petitioner, who is the occupier of the unit, has also been arrested, and accordingly, this Criminal Original Petition stands **dismissed as far as the third petitioner is concerned.**

8. Insofar as the petitioners 1, 2 & 4 are concerned, they are only the partners and they have not actively involved in the manufacturing unit and other act, **I am inclined to grant anticipatory bail to the petitioners 1, 2 & 4,** subject to certain conditions.



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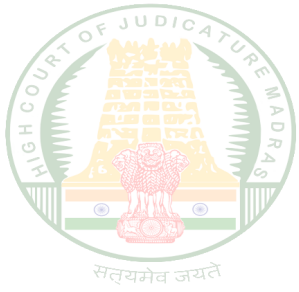
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9. Accordingly, the petitioners 1, 2 & 4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Vilathikulam, Tuticorin District**, on condition that **the petitioners 1, 2 & 4 shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners 1, 2 & 4 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, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioners 1, 2 & 4 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners 1, 2 & 4 in accordance with law as if the conditions have been imposed and the petitioners 1, 2 & 4 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 petitioners 1, 2 & 4 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

30.06.2026

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K. RAJASEKAR,J

DSS

To

- 1.The Judicial Magistrate, Vilathikulam, Tuticorin District.
2. The Inspector of Police,
Masarpatti Police Station, Tuticorin District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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