



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2021

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.17917 of 2021

Selvi

... Petitioner/Accused No.10

Vs

The State rep.by,
The Inspector of Police,
Elaiyirampannai Police Station,
Virudhunagar District.
In Crime No.46 of 2020.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.46 of 2020 on the file of the Respondent Police.

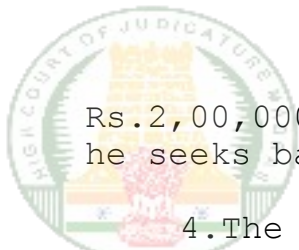
ORDER : The Court made the following order :-

The petitioner/A10, who was arrested and remanded to judicial custody on 22.10.2021 for the offences punishable under Sections 286, 338 and 304(I) IPC r/w Section 9(B)(1)(a) of Indian Explosive Act, 1884 in Crime No.46 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A1 is running a fire works, namely, Rajammal Fire Works at Sippiparai Village. On 20.03.2020 at about 03.00 p.m., due to negligent handling of Explosives and Violation of Rules, fire broke out in the factory, in which 14 persons were died and 5 persons were injured. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the wife of A1 and she is the owner of the land and building and that she is owning 5% in the said business run by A1.

<https://hcservices.ecourts.gov.in/hcservices/> Further submit that A1 has already paid



Rs.2,00,000/- each to the deceased' family as compensation. Hence, he seeks bail.

4.The learned Additional Public Prosecutor for the respondent police would submit that due to negligent handling of Explosives and Violation of Rules, fire broke out in the petitioner's factory, in which 14 persons were died and 5 persons were injured. He would further submit that the investigation was completed and the charge sheet has already been filed before the concerned Court and the same was not taken on file.

5.Considering the above and also the facts that the petitioner is in judicial custody from 22.10.2021, that the investigation was completed and the charge sheet has already been filed before the concerned Court, that A1 has already paid Rs.2,00,000/- each to the deceased' family as compensation and that the petitioner is not having any previous case for similar or serious offence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on her 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 the learned Judicial Magistrate No.I, Sattur, Virudhunagar District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

ii) the petitioner shall report before the trial Court daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

18/11/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
SATTUR, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ELAIYIRAMPANNAI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17917 of 2021
Date :18/11/2021

sjj
MK/VR/SAR.III/18.11.2021/3P/6C