



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/04/2023

WEB COPY

PRESENT
The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7312 of 2023

Praveenraja,
Partner of the Modern Fire Works,
Wrongly Shown in FIR as
Owner of the Modern Fire Works ... Petitioner/Accused

Vs

The Sub Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
Crime No.47/2023. ... Respondents/Complainants

For Petitioner : Mr.N.Dilipkumar,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.47 of 2023 on the file of
the respondent Police.

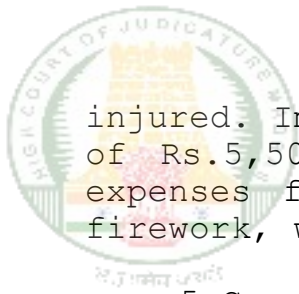
ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 286,
337 and 304(2) IPC and Section 9(B)(1)(a) of Explosives Act, 1884,
in Crime No.47 of 2023, on the file of the respondent police, seeks
anticipatory bail.

2.The case of the prosecution is that the fire accident took
place in the Modern Fire Works, in which, two persons succumbed to
burn injuries and two persons sustained minor injuries. Hence, the
case.

3.Heard. Perused the materials available on record including
the First Information Report.

4.It is seen that the petitioner is the partner of the said
fireworks factory. Unfortunately, there was an untoward incident in
the fireworks factory, in which, two persons died and one person got
injured.



injured. Immediately, the petitioner had paid compensation : of Rs.5,50,000/- each to the deceased and he has taken medical expenses for the injured persons. A2, who is the foreman of the firework, was already arrested and remanded to judicial custody.

5. Considering the above facts and circumstances of the case, 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, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Sivakasi, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner 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;

[c] the petitioner shall not tamper with 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/04/2023

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/04/2023

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



TO

1. The Judicial Magistrate No.1, Sivakasi.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur.
3. The Sub Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-6230[I] dated 20/04/2023)

ORDER
IN
CRL OP(MD) No.7312 of 2023
Date : 20/04/2023

NA/CG/SAR-2/27.04.2023/3P/6C