



CRL OP(MD). No.16880 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Marisamy

2. P.Renganathan

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
Crime No. 248/2024.

... Respondent/Complainant

For Petitioners : M/s.M.Solaisamy, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 248 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on



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19.09.2024 for the offences punishable under Sections 288 and 125(b) of BNS Act @ 105 of BNS, Act, r/w. Section 9(B)(1)(a) of Indian Explosives Act, 1884 in Crime No.248 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to sudden burst in the cracker unit, the deceased, who worked in the petitioners company sustained grievous injuries and subsequently, died. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Considering the nature of allegations that the petitioners were running a cracker unit in which the accident is said to have happened and considering the fact that the petitioners have already paid a sum of Rs.5,00,000/- as compensation to the deceased person's wife and that the petitioners are in custody from 19.09.2024, I am inclined to enlarge the petitioners on bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing 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 learned (*) Judicial Magistrate No.II, Sattur.

(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



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Aadhar card or Bank Pass Book to ensure their identity;

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(ii)the petitioners shall appear before the respondent Police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 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].

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

sd/-
03/10/2024

(*)Corrected as per order of this court
dated 04.10.2024 made in Crl.O.P. (MD)
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15/10/2024

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

TRP

To

(*)To be substituted to the order which was already despatched on
03.10.2024



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1.The Judicial Magistrate No.I, Sattur.

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(*) 2.The Judicial Magistrate No.II, Sattur.

3.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

4.The Sub Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.

5.The Officer Incharge,
Sub Jail, Virudhunagar.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-12083[I] dated 03/10/2024)

ORDER

IN

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Date :03/10/2024

ED/ /SAR- (03/10/2024) 4P / 7C

PSP/ /SAR- (15/10/2024) 4P / 8C

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