



CRL OP(MD). No.17345 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

THE HON'BLE MR.JUSTICE K. RAJASEKAR

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Chitra,

... Petitioner/ Accused No.1

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
Cr.No.296/2024.**

... Respondent/Complainant

For Petitioner :Mr.M. Solaisamy, Advocate.

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

**For Anticipatory Bail in Crime No.296 of 2024 on the file of the Respondent
Police.**

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for

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the offences punishable under Sections 288 & 324(4) of BNS, 2023 and Section 9(B)(1) (a) of Indian Explosives Act, 1884, in connection with Crime No.296 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the proprietor of Thirumurugan Fire Works, Virudhunagar District and on 28.09.2024, when she stored crackers in a vehicle in her Fireworks, in a negligent manner, without any precautionary measurements, it got bursted, thereby an accident had happened. However, in that accident, no one has injured. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is the owner of the said Fireworks. She had obtained proper licence from the concerned authorities to run the Fireworks. Irrespective of taking utmost precautionary measures, the accident had happened unfortunately and it is not due to the negligence on the part of the petitioner. He further submits that no one has injured in the said accident.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioner is the owner of the Fireworks, wherein, she had stored crackers in a vehicle, in a negligent manner and therefore, an accident had happened. He admits that no one has injured in the accident.

5.Considering the fact that the petitioner is running the Fireworks business by obtaining a proper licence and the fact that no one is injured in the alleged accident,



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this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.II, Sattur, on condition that the petitioner 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 am for a period of one week.
- (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



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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]; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/10/2024

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/ 10 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

1 THE JUDICIAL MAGISTRATE
NO.II, SATTUR.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
SATTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-12360[I] dated 09/10/2024)

ORDER
IN
CRL OP(MD) No.17345 of 2024
Date :09/10/2024

PSP/ MMS /SAR /23.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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