



Crl.O.P.(MD) No.22951 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD) No.22951 of 2024

Jai Sankar

... Petitioner / A1

-vs-

The State
rep.by the Sub Inspector of Police
Vembakkottai Police Station
Virudhunagar District
(Crime No.248 of 2024)

... Respondent / Complainant

PRAYER: Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Crime No.248 of 2024, pending investigation on the file of the respondent – Police.

For Petitioner : Mr.M.Solaisamy, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

O R D E R

The petitioner / A1, who apprehends arrest at the hands of the respondent – Police for the offences punishable under Sections 288, 125(b) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 9(B)(1)(a) I.P.C., in Crime No.248 of 2024 on the file of the respondent police, seeks anticipatory bail.



Crl.O.P.(MD) No.22951 of 2024

WEB COPY

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

3. The learned counsel for the petitioner would submit that the petitioner is a licensee-cum-director of the cracker unit. He is an innocent and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent – Police fairly submits that there are totally four accused involved in this case and A2 and A3 have already been granted bail by this Court and no previous case is pending against the petitioner and the petitioner has paid compensation to the family members of the deceased and A4 has passed away during the course of investigation.

5. Heard both sides and perused the materials available on record.



Crl.O.P.(MD) No.22951 of 2024

WEB COPY

6. Considering the rival submissions on either side and the nature of offences charged as against the petitioner and also taking into consideration the fact that there are totally three accused involved in this case and A2 and A3 have already been granted bail by this Court and no previous case is pending against the petitioner and the petitioner has paid compensation to the family members of the deceased, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate No.II, Sattur, and on further conditions that:

[b] the petitioner shall report before the respondent – Police, daily at 10.00 A.M. for thirty days and thereafter, as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in



Crl.O.P.(MD) No.22951 of 2024

WEB COPY

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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KRK

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SATTUR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE SUB INSPECTOR OF POLICE,
VEMBAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.SOLAISAMY, Advocate (SR-15947[I] dated 30/12/2024)



WEB COPY



Crl.O.P.(MD) No.22951 of 2024

ORDER
IN
CRL OP(MD) No.22951 of 2024
Date :27/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023