



Crl.O.P.No.18286 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18286 of 2025

S.Sundharrajan

.. Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
Porto Novo Police Station,
Cuddalore District.
Crime No.171 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No. 171 of 2025 on the file of respondent Police.

For Petitioner : Mr.J.Jawahar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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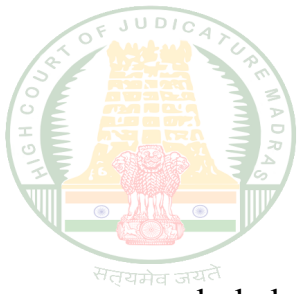
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.06.2025, for the offences punishable under Sections 288 & 105 of BNS Act, 2023 and 9(B)(1)(a) of Indian explosives Act, 1884, in connection with Crime No.171 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that on 15.06.2025 at about 11.15 a.m., the respondent police received a complaint from the defacto complainant, a VAO, who upon receiving information about a fire accident at Sri Venkateshwara fireworks, visited the scene with Village Assistant and found that a fire accident had occurred, resulting in one death, with the petitioner allegedly managing the fireworks under the instructions of the first accused.

3.The petitioner is employed in a software company and he is in Chennai and came to his native place to visit his wife, who was pregnant. The petitioner's father is a licence cracker shop owner and since his father was not well and gone to hospital, the petitioner was asked to be in the shop for the meanwhile. The deceased is employed in the petitioner's shop and while she was sweeping the floor, accidentally came in contact with the explosive which got



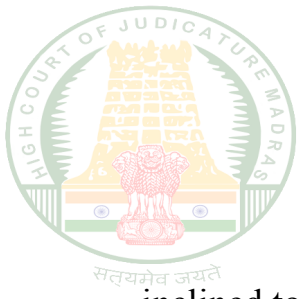
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exploded and due to which she died. The petitioner has nothing to do with the business of his father. The petitioner has been arrested on 15.06.2025. The learned counsel for the petitioner came forward to pay some amount to the deceased family without prejudice to his rights and the defense of the case and made it clear that the amount of Rs.2,00,000/- is independent of the entitlement of the deceased to make her claims in other forms.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that A1 is the petitioner's father and A2 is the petitioner and both of them jointly running a cracker shop in Cuddalore and they have not properly taken care of the materials which is used for making crackers and left it in the floor. The victim who was sweeping the floor had came in contact with the explosive, which exploded and due to which she succumbed to burn injuries. A1 was not in the shop at the time of occurrence and hence violated the Explosives Substances Act and Rules.

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

6. Considering the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is



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inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **District Munsif-cum-Judicial Magistrate, Parangipettai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent Police as and when required for interrogation;**

[c] **As undertaken by the learned counsel for the petitioner, a sum of Rs.2,00,000/- shall be paid by the petitioner to the family of the deceased, without prejudice to his rights and defence in the case.**

[d] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[f] the petitioner to give an undertaking that if



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required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

25.06.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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M.NIRMAL KUMAR, J.

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To

1. The District Munsif-cum-Judicial Magistrate, Parangippettai.
2. The Inspector of Police, Porto Novo Police Station, Cuddalore District.
3. The Public Prosecutor, High Court of Madras.
4. The Central Jail, Cuddalore.

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