



WEB COPY



Crl.O.P.No.18918 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18918 of 2025

Subramani

... Petitioner/A1

Vs.

The State, rep. 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.Ponbalaji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 288, 105 of BNS, 2023 r/w
9(B)(1)(a) Explosives Act, 1884 in Crime No.171 of 2025, on the file of the
respondent Police, seeks anticipatory bail.



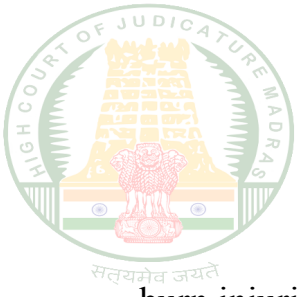
Crl.O.P.No.18918 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner is arrayed as A1 who is the owner of Sri Venkateshwara Fireworks. Due to a fire accident, the victim died on spot. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner's son (A2) has already been granted bail by this Court on the basis of the undertaking given by the A2 that he will pay a sum of Rs.2,00,000/- in favour of the family members of the victim as per the order dated 25.06.2025, pursuant to which a sum of Rs.2,00,000/- has also been paid before the learned Magistrate. The learned counsel for the petitioner came forward to pay a further amount of Rs.2,00,000/- to the deceased family without prejudice to his rights. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that A2 is the petitioner's son, however, both of them are running 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 come in contact with the explosive, which exploded and due to which she succumbed to



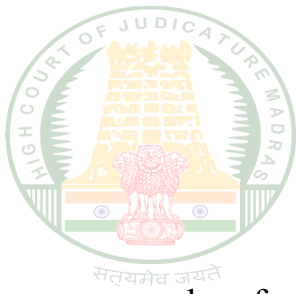
Crl.O.P.No.18918 of 2025

burn injuries. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the submissions made by the learned counsel appearing on either sides and taking note of the nature of the allegations and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of Crime No.171 of 2025** and on such deposit, 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 **District Munsif – cum Judicial Magistrate, Parangipettai** 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



CrI.O.P.No.18918 of 2025

and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

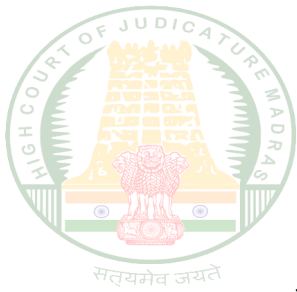
[b] If the victim's family is not consented to obtain the amount of Rs.2,00,000/- which is already deposited by A2 and the amount of Rs.2,00,000/- deposited by the petitioner to be re-credited by the Judicial Magistrate in an interest bearing account.

[c] The victim's family is permitted to withdraw the said amount deposited by the petitioner after filing appropriate application before the learned Magistrate without dispensing notice to A1 and A2.

[d] 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;

[e] the petitioner shall report before the respondent Police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[f] the petitioner shall not abscond either during investigation or trial and he shall make himself available for



CrI.O.P.No.18918 of 2025

WEB COPY

interrogation by a Police Officer as and when required;

[g] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;;

[h] the petitioner to give an undertaking that if 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;

[i] 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];

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

21.07.2025

rap



WEB COPY



CrI.O.P.No.18918 of 2025

M.NIRMAL KUMAR, J.

rap

To

1. The District Munsif – cum Judicial Magistrate, Parangipettai
2. The Inspector of Police,
Porto Novo Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.18918 of 2025

21.07.2025