



CRL OP(MD)No.8143 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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Jaishankar

... Petitioner

Vs

1. The State of TamilNadu represented
The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
(Crime No.108 of 2025)

2. The Village Administrative Officer,
Nedunkulam Village,
Sivakasi Taluk,
Virudhunagar District.

... Respondents

For Petitioner : Mr.C.Padmanabhan

Senior Counsel

for

M/s.S.s.Madhavan Law Associates

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.108 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 288,125(a) & 105 of Bharatiya Nyaya Sanhita, 2023 read with 9(B)(1(a) of Explosives Act, 1884 in Cr.No.108 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.04.2025 at about 10.40a.m. there was an explosion in the petitioner's Fire Works Factory situated at M.Pudupatti to Sivakasi Main Road, within the limits of Nedunkulam Village. In the said explosion, 3 employees were died and 7 employees have sustained serious injuries. Hence the complaint.

3. The learned Senior Counsel appearing for the petitioner would submit that



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the petitioner/Accused No.1 is the Managing Director and he is running Fireworks business since 1975 in the name of Standard Fire Works by obtaining license from the competent authority. He further submits that on 26.04.2024, at about 10.40a.m. there was an explosion in the petitioner's fire works factory, three employees were died due to unavoidable circumstances and two employees were sustained serious injuries, immediately they were taken into hospital and admitted as inpatient in Government Hospital. It was informed to the petitioner's Factory manager and immediately he made a visit to the spot and informed to the petitioner immediately.

3.1. He would further submit that the petitioner immediately directed the Manager to provide necessary medical remedies to all the injured employees to save their life and to provide compensation for the three deceased employees. He further submits that a sum of Rs.5,50,000/- was already paid to the legal heirs of the deceased employees and also the concerned Fireworks company have also taken steps to provide Statutory benefits which are applicable to the family members of the deceased employees'.

3.2. The learned Senior Counsel appearing for the petitioner further submits that the petitioner undertakes that all the statutory benefits which are applicable to



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the deceased employees will be provided as early as possible. He further submits that in this case, the second and third accused were already enlarged on bail by the Principal District and Sessions Judge, Virudhunagar District at Sirivlliputhur, vide order dated 08.05.2025, wherein, the court below has directed the petitioner therein to pay an additional compensation of Rs.10,00,000/- (Rupees Ten Lakhs only) each to the four families of the deceased victims and Rs.5,00,000/- to one seriously injured person and also Rs.2,00,000/- each to five simple injured persons through the police concerned.

3.3. The learned senior Counsel appearing for the petitioner would further submit that the petitioner did not involved in any of the offences as alleged by the prosecution. The petitioner is an innocent and he is falsely implicated in this case. The petitioner is ready to abide by any conditions to be imposed by this Court. He, therefore prays for grant of anticipatory bail to the petitioner.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent police would submit that the explosion has occurred due to the carelessness of the petitioner for not providing any safety measures to the employees and objected to grant Anticipatory bail to the petitioner. He prays to



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dismiss this Criminal Original Petition.

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

6. On perusal of the FIR shows that the explosion had occurred due to the carelessness of the petitioner for not providing any safety measures to the employees, who are all working in the petitioner's Fireworks Factory. It is an admitted fact that there was an explosion at the petitioner's factory, the second accused is the Manager and the third accused is the foreman, both are working under the petitioner/1st Accused. Considering the nature of the allegations levelled against the petitioner/accused and considering the fact that the Second and third accused were arrested and subsequently they were enlarged on bail, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate No.II, Sivakasi, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each



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for a like sum to the satisfaction of the respondent police or the police officer who
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intends to arrest or to the satisfaction of the learned Magistrate concerned, failing
which, the petition for anticipatory bail shall stand dismissed and on further
condition 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 is directed to ensure that whether the family members of the deceased employees have obtained the Fatal Accident Compensation and benefits under Social Security Legislations or not. If any evasion or default with regard to the Fatal Accident Compensation and benefits under Social Security Legislations to the victims' or their family members, the petitioner shall immediately take steps to rectify the same and shall file an affidavit before the concern Judicial Magistrate Court to that effect.

[c] the petitioner shall report before the respondent Police on every Monday and Friday at 10.30a.m. until further orders.



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

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

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
09/05/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1 THE JUDICIAL MAGISTRATE NO II
SIVAKASI, VIRUDHUNAGAR DISTRICT.

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



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3 THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8143 of 2025
Date :09/05/2025

HPS/21.05.2025 /8P/5C

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