



CRL OP(MD). No.12411 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12411 of 2025

Ponnuchamy @ Ponnusamy
S/o.Muthaiya,

: Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
(Crime No.194 of 2025)

: Respondent/ Complainant

For Petitioner : Ms.S.Prabha,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.194 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 9(B), (1)(a) of Indian Explosive Act, in Crime No.194 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/ A1 runs a fireworks factory under the name and style of 'M.P. Fireworks'. The said factory had already been prohibited from manufacturing crackers. Despite prohibition, on 24.06.2025, when the respondent police inspected the premises, it was found that the second accused, who is the Supervisor of the said factory, along with some workers, was engaged in manufacturing crackers without obtaining any permission and without adhering to any safety measures. Hence, the present case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that the co-accused/ A2 was already released on bail and this is the second anticipatory bail petition and the earlier application for anticipatory bail in Crl.O.P(MD)No.11000 of 2025 was dismissed by this Court on 30.06.2025. However, he further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4.The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A1. A2 was arrested and released on bail by the learned Judicial Magistrate No.I, Sattur in Crl.M.P.No.488 of 2025, dated 27.06.2025. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking into account of the fact that the co-accused/ A2 was already released on bail and also considering the fact that the occurrence had taken place on 24.06.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sattur, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 Judicial Magistrate No.II, Sattur, Virudhunagar District, and on further conditions that:



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(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;

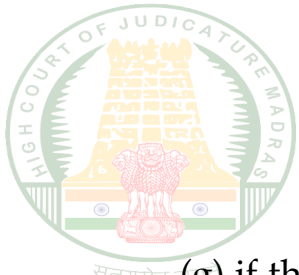
(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Sattur, Virudhunagar District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Sattur, Virudhunagar District;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(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 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;



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(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

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

das
TO

- 1.The Judicial Magistrate No.II,
Sattur, Virudhunagar District.
- 2.The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12411 of 2025
Date :25/07/2025

AS/29.08.2025/5P/4C

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