



CRL OP(MD).No.12907 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.12907 of 2025

1.P.Prabakaran,
S/o.Ponnaiya

2.Selvakumar,
S/o.Ramesh

.. Petitioners/ A2 & A3

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.458 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.Vishnu J,
Advocate.

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.458 of 2025 on the file of the Respondent Police.

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ORDER : This Court made the following order :-

The petitioners/A2 & A3, who were arrested and remanded to judicial custody on 22.07.2025 and 21.07.2025, respectively, for the offences punishable under Sections 288, 125(a) and 105 of BNS, 2023 r/w. Section 9(B)(1)(a) of the Indian Explosives Act in Crime No.458 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 21.07.2025, at about 03.30 p.m., a fire accident broke out at Mariamman Fire Works Amorces Industries, located in Anuppankulam Village, Sivakasi Taluk, due to negligent handling of explosives and violation of safety regulations. As a result, three persons died and three others were injured, one of whom sustained 67.5% burn injuries. Hence, the present case.

3. The learned counsel for the petitioners submitted that the 1st petitioner is the Manager of the said factory, and the 2nd petitioner is the Foreman. He submitted that the fire accident broke out due to a sudden change in weather conditions, which triggered a chemical reaction, and not due to any negligence on the part of the petitioners. He further submitted that the owner of the factory has already

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compensated the families of the deceased with a sum of Rs.5,00,000/- and is also bearing the medical expenses of the injured persons. However, the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. He also submitted that the 1st petitioner has been in custody from 22.07.2025, and the 2nd petitioner has been in custody from 21.07.2025. Hence, he prays bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally three accused persons in this case, and the petitioners have been arrayed as A2 and A3. He submitted that the fire accident occurred while handling chemical substances without adhering to any safety measures and precautions. He further submitted that there are no previous cases registered against the petitioners. However, he opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, and taking note of the fact that the petitioners were remanded to judicial custody on 21.07.2025 and 22.07.2025, respectively, and that there are no previous cases registered against the petitioners, and also considering the period of incarceration already undergone by the petitioners, this court is inclined to grant bail to the



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petitioners, subject to the following conditions:

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6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District and on further conditions that :-

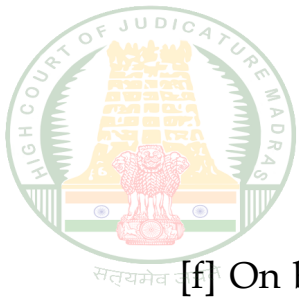
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District. If the petitioners change their residential address, they shall report the same to the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District;

[c] the petitioners shall appear and sign before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and;

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

sd/-
05/08/2025

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

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TO

- 1.The Judicial Magistrate No.II,
Sivakasi, Virudhunagar District.
- 2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.
- 3.The Officer Incharge, District Jail,
Virudhunagar District.



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4.The Inspector of Police,
Sivakasi East Police Station, Virudhunagar District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12907 of 2025
Date :05/08/2025

PR/06.08.2025 6P/6C

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