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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.183 of 2026

Damodharan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Pattabiram Police Station,
Tiruvallur District.
(Crime No.449 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.449 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.S.Kothandaram

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.10.2025 for the offences punishable under Sections 105 of BNSS r/w Sections 3(a), 4(b) and 5 of Explosive Substance Act, in Crime No.449 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused, illegally stored huge quantity of explosive substances in the residential area without any safety measures which resulted in causing the accidental fire and the crackers have exploded and killed 4 persons. Hence the complaint was lodged and the petitioner was arrested and is in judicial custody from 21.10.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner is uncle of A1 in this case and he has been falsely implicated in this case and that he is not involved in sale of crackers and he is in incarceration since 21.10.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is also actively participated in the business activities and they were aware about the illegal storing of explosives and also not following any safety protocols. Hence, he opposed to grant bail to the petitioner.

5. Earlier, this Court dismissed the bail petition filed by the petitioner in Crl.OP.No.33826 of 2025 dated 12.12.2025, on the ground that the petitioner had actively participated in the illegal storing and selling the explosives to various persons, which resulted in blasting and killed four persons and the investigation is pending.

6. Now, the learned counsel for the petitioner that after the dismissal of the earlier bail petition, two other accused in the same case have been granted bail by



the learned Principal District and Sessions Judge, Tiruvallur in CrI.MP.No.5146 of 2025 dated 16.12.2025 on the ground that the investigation is almost completed.

7. In view of the above change in circumstances, this Court is inclined to grant bail to the petitioner with certain conditions.

8 Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Tiruvallur, 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 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.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the



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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];

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

08.01.2026

drl

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.



To

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1.The Judicial Magistrate No.II,
Tiruvallur District.

2.The Inspector of Police,
Pattabiram Police Station,
Tiruvallur District.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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