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CRL OP No. 7021 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7021 of 2026

Bharanidharan

..Petitioner

Vs

The State Rep.by,
The Inspector of Police
Papparapatti Police Station,
Dharmapuri District.
Cr.No.43 of 2026.

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to grant bail to the petitioner pending investigation in Cr.No.43/2026 on the file of the Respondent Police.

For Petitioner:

Mr.B.Sundarapandiyan

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

Order

The petitioner, who was arrested and remanded to judicial custody on 09.02.2026 for the alleged offence under Sections 3, 5 and 6 of Explosive Substance Act, 125(b) of BNS 2023 corresponding section 338 IPC @ Sections 3, 5 and 6 of Explosive Substance Act, and 105 of BNS in Crime No.43 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that A1 got Explosives licence from the Fire Department and runs a cracker manufacturing unit in the land belongs to one Sakthivel/Petitioner/A2. On the date of occurrence, at the time of stocking the explosive materials, fire broke from the shed and a worker suffered grievous injuries and subsequently died. Hence, the case.

3. The learned counsel for the petitioner submitted that this Accused is no way connected with the offence and he has been incarcerated since 09.02.2026. It is the further submission of the learned counsel for the petitioner that the petitioner is an unnamed person in FIR. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the accused also involved in this case, however fairly submitted that this petitioner is not named in the FIR. Further he submitted that the person injured due to fire accident has subsequently died after 10 days from the date of occurrence. Hence, he opposed the grant of bail to the Petitioner.



5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side, it is seen that though there are allegations against the petitioner, he has not been named in the FIR and considering the fact that the petitioner has been incarcerated since 09.02.2026 and was implicated based on the confession statement of A1 and A2, this Court is inclined to enlarge the petitioner on bail on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Pennagaram**, and on further conditions that:

[a] 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p,m until further orders and no relaxation petition shall be entertained



within a period of 60 days;

[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 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]**;

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

18-03-2026

SHL

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, Pennagaram
2. The Papparapatti Police Station,
Dharmapuri District.
3. The Central Prison, Salem
4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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