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Crl.O.P.No.20478 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.20478 of 2026

1. M.Muthukumaran
2. R.Arul Selvan
3. L.Venkatesan

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Puzhal Police Station,
Kolathur, Chennai.
Crime No.544 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.544 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.C.Santhosh Kumar

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody for the alleged offences under Sections 125 and 105 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.544 of 2026 on the file of the respondent police, seek bail.



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2. It is the case of the prosecution that, when the defacto complainant, along with his minor son, was passing near a bakery, a JCB vehicle was lifting an iron rod, during which the rope snapped and the iron rod fell on the defacto complainant and his son, causing grievous injuries. Though the son was immediately taken to the hospital, he succumbed to the injuries on the next day. The allegation against the petitioners is that, since they had not taken proper care in executing the work, they caused the death of the minor boy. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in custody since 12.07.2026 and are ready to abide by any stringent conditions that may be imposed by this Court. It is his specific submission that the petitioners are only employees of M/s. K.M. Infrastructure Projects Private Limited, which had been entrusted with the work of laying sewage pipelines, and that the company had completed the contract and handed over the site to the Greater Chennai Corporation as early as on 06.09.2025 and that the alleged incident took place due to the conduct of their subcontractor. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail to the petitioners, reiterated the prosecution case and, on instructions, fairly submitted that the petitioners have



no criminal antecedents. He further submitted that, due to the careless conduct of the petitioners, an innocent minor boy lost his life. He submitted that the driver of the JCB was an employee of A1, who is the sub-contractor of M/s. K.M. Infrastructure Projects Private Limited, and that the petitioners, being the responsible persons, ought to have ensured proper supervision of the work. According to him, the work had not been properly completed and handed over, and therefore, the petitioners cannot escape liability on the ground that the negligence was on the part of the sub-contractor or his employee.

5. I have given my anxious consideration to either side submissions.

6. In view of the above circumstances, considering the totality of the circumstances, the period of incarceration undergone by the petitioners, the fact that the petitioners are employees of the main contractor, who had already handed over the site to the Greater Chennai Corporation during the month of September 2025, the fact that the petitioners have no bad antecedents, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions. At this juncture, the learned counsel appearing for the petitioners submitted that the petitioners, without prejudice to their defence, are willing to make a non-refundable deposit of a sum of Rs.1,00,000/- (Rupees One Lakh only) each to the credit of Crime No.544 of 2026 for the benefit of the victim's family.



7. Accordingly, the petitioners are ordered to be released on bail on their 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 District Munsif-cum-Judicial Magistrate, Madhavaram, and subject to the following conditions:

[a] The petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) each totalling a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) as a non-refundable deposit, to the credit of Crime No.544 of 2026 without prejudice to their defence. Upon such deposit being made, the deceased's parents shall be at liberty to withdraw the said amount by filing an appropriate application before the jurisdictional Court and upon due identification;

[b] The respondent Police is directed to serve a copy of this order on the deceased family, so as to enable them to file an appropriate application before the Court concerned for withdrawal of the said amount;

[c] 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;

[d] the petitioners shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;



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

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

[g] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

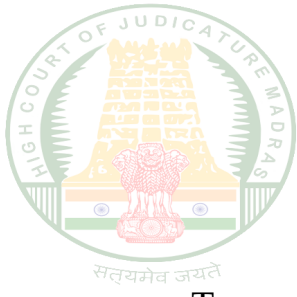
[h] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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.



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C.KUMARAPPAN,J.

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- To
1. The learned District Munsif cum Judicial Magistrate, Madhavaram
 2. The Superintendent, Central Prison, Puzhal
 3. The Inspector of Police, Puzhal Police Station, Kolathur, Chennai
 4. The Public Prosecutor, High Court of Madras

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