



CNR: KAHC010019352025

NC: 2026:KHC:53677
CRL.P No. 469 of 2025**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****DATED THIS THE 28TH DAY OF SEPTEMBER, 2026****BEFORE****THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ****CRIMINAL PETITION NO. 469 OF 2025 (482(Cr.PC) /**
528(BNSS)-)**BETWEEN:**

PRATAP N M
S/O MARIMADIAH N.M,
AGED ABOUT 28 YEARS,
R/O NO. 837, NEHRU ROAD,
BEML LAYOUT, 3RD STAGE,
OPP SAMSUNG SHOW ROOM,
RAJARAJESHWARI NAGAR,
RAJARAJESHWARI,
BENGALURU 560 098

...PETITIONER

(BY MS. NAZEEFA M MULLA. &
SRI. SAGAR SALIMATH., ADVOCATES FOR
SMT. SHWETA C HATTARKI., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS MEDIGESHI POLICE STATION,
MADHUGIRI.
REP BY
HIGH COURT STATE PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BANGALORE 560 001.
2. MR. GOPALAKRISHNA,
AGED ABOUT MAJOR,
CPC 736, MEDIGESHI POLICE STATION,
TUMKUR, KARNATAKA

...RESPONDENTS

(BY SMT. RASHMI PATEL., HCGP FOR R1;





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R2-SERVED)

THIS CRIMINAL PETITION IS FILED U/S 482 CR.PC (FILED U/S 528 BNSS) PRAYING TO ALLOW THIS PETITION AND QUASH THE FIR IN CRIME NO. 0114/2024 DATED 12.12.2024 REGISTERED BY MEDIGESHI POLICE STATION, MADHUGIRI SUB DIVISION, TUMKURU, FOR THE OFFENCES PUNISHABLE UNDER SECTION 3 OF EXPLOSIVE SUBSTANCES ACT, 1908 READ WITH SECTION 288 OF BHARATIYA NYAYA SANHITA (BNS), 2023 WHICH IS PENDING BEFORE PRL. SENIOR CIVIL JUDGE AND J.M.F.C AT MADHUGIRI, TUMKUR DISTRICT AS AGAINST THE PETITIONER IN CONCERNED AND ETC.

THIS CRIMINAL PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

A) Allow this petition and quash the FIR in Crime No.0114/2024 dated 12.12.2024 dated 12.12.2024 registered by Medigeshi Police Station, Madhugiri Sub Division, Tumkuru, for the offences Punishable under Section 3 of Explosive Substances Act, 1908 read with Section 288 of BNS, 2023 which is pending before Prl. Senior Civil Judge & JMFC Court Madhugiri, Tumkur Dist as against the petitioner is concerned, in the interest of justice and equity.

B) Grant such other and further deem fit in the Hon'ble Court deemed fit and proper in the facts and circumstances of the case in the interest of justice.



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2. Respondent No. 2, Constable, on coming to know that the petitioner had caused an explosion, lodged a complaint on 12.12.2024, which came to be registered as Crime No.114/2024 by Medigeshi Police Station for offences under Section 3 of the Explosive Substances Act, 1908 and Section 288 of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the petitioner had dropped sodium in a pond, which caused an explosion and, as a result, had the possibility of endangering the lives of people around the said pond, which was located in a private farm.
4. The learned counsel for the petitioner submitted that
 - 4.1. The petitioner is a science educator and online content creator who had conducted a controlled chemical experiment demonstrating the reaction of sodium with water for the purposes of the 10th Standard students of the NCERT syllabus.
 - 4.2. She submits that the experiment was conducted at a private farm which is owned by





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a petitioner's friend. The farm is also located away from any residential or public areas. The experiment was being conducted only to educate students to learn and understand the concept of a controlled chemical reaction, which is a part of the subject of organic chemistry.

- 4.3. An artificial pond had been created measuring approximately 10 x 10 feet; approximately 1000 litres of water had been filled up, and according to the petitioner, 100 grams of sodium was dropped into the said artificial pond. The video had been uploaded onto the YouTube channel of the petitioner and was made available to all the students.
- 4.4. She submits that the petitioner, being a scientist, engineer and entrepreneur who has built more than 600 drones from electronic waste, is only experimenting and spreading the knowledge of science and, in this case, chemistry, for the benefit of young students. She therefore submits that the said act does not in any manner amount to an offence under Section 3. Since under Section 3, any person





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who unlawfully and maliciously causes an explosion using an explosive substance which is likely to endanger life or to cause serious injury to property.

4.5. She submits that there is no maliciousness in the above action taken, it being only for the purpose of educating students; it was conducted in a controlled manner which did not endanger any life or cause any injury, let alone serious injuries to the property. She submits that the offence of Section 288 of the BNS would also not be attracted. Since there was only one element, sodium, had been used, it was not an explosive by itself, and it was not used rashly or negligently to endanger human life. All the protections which were required to be taken were in fact so taken.

4.6. The explosion was a small one which only demonstrated the reaction of sodium with water and hydrogen and then hydrogen causing a sound as also a spray of jet of water, which would not be an offence under Section 288. On that basis, she submits that the claim made by



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the respondents of an offence under Section 3 of Explosive Substances Act or Section 288 of the Bharatiya Nihaya Sanhita is ill-founded. None of the ingredients of those offences are satisfied on an acceptance of the entire statement made by the prosecution in the complaint and the FIR as lodged. On the above grounds, she submits that the proceedings are required to be quashed.

5. Learned HCGP would submit that the fact of an explosion having occurred is not in dispute. The petitioner, having accepted that aspect and having used sodium to combine with water, knowing fully well that there could be an explosion, has endangered the life of persons, which would come within the requirements of Section 3 of the Explosive Substances Act (for short, 'the Act') and on that ground, she submits that investigation ought to proceed and at this stage, this Court ought not to interdict the matter.
6. Heard Learned counsel for the Petitioner and learned HCGP for the State; perused papers.





7. Section 3 of the Explosive Substances Act is reproduced hereunder for easy reference:

3. Punishment for causing explosion likely to endanger life or property

Any person who unlawfully and maliciously causes by

(a) any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with imprisonment for life, or with rigorous imprisonment of either description which shall not be less than ten years, and shall also be liable to fine;

(b) any special category explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with death, or rigorous imprisonment for life, and shall also be liable to fine.

8. A perusal of Section 3 of the Act would indicate that any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property, shall, whether any injury to person or property has been actually caused or not, be punished with imprisonment for life or with rigorous imprisonment of either description, which shall not be less than 10 years and shall also be liable to fine.





9. Clause (b) of Section 3 of the Act stands on a different footing and relates to a special category of explosive substances which provides that any special category explosive substance and an explosion of nature likely to endanger life or cause serious injury to property, shall, whether any injury to person or property has been actually caused or not, be punishable with death or rigorous imprisonment of life and shall also be liable for fine.

10. The special category of substance is defined under Clause (b) of Section 2 of the Act which reads as under:

2(b) the expression special category explosive substance shall be deemed to include research development explosive (RDX), penta erythritol tetra nitrate (PETN), high melting explosive (HMX), tri nitro toluene (TNT), low temperature plastic explosive (LTPE), composition exploding (CE) (2, 4, 6 phenyl methyl nitramine or tetryl), OCTOL (mixture of high melting explosive and tri nitro toluene), plastic explosive kirkee-1 (PEK-1) and RDX/TNT compounds and other similar type of explosives and a combination thereof and remote control devices causing explosion and any other substance and a combination thereof which the Central Government may, by notification in the Official Gazette, specify for the purposes of this Act.

11. None of these special categories of substances are concerned in the present matter. Hence, there would be no requirement to deal with the said clause (b) of Section 3 or clause (b) of Section 2 of the Act.





12. Clause (a) of Section 2 of the Act reads as under:

2(a) the expression explosive substance shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine or implement;

13. An explosive substance shall be deemed to include any materials for making any explosive substance, also any apparatus, machine, implement or material used or intended to be used or adapted for causing or aiding in causing any explosion in or with any explosive substance. Also, any part of any such apparatus, machine or implement.
14. A perusal of clause (a) of Section 2 of the Act would therefore indicate that the explosive substance should be materials for making any explosive substance, as well as any apparatus.
15. Sodium by itself is not an explosive substance, and in the present case, sodium was used in an experiment with water to establish the reaction that would be caused to demonstrate the reaction that would be caused between sodium and water. In fact, a write-





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up had also been provided which indicates the scientific formula in relation thereto as $2\text{Na} + 2\text{H}_2\text{O}$ gives rise to $2\text{NaOH} + \text{H}_2$ plus heat energy; that is, sodium on reaction with water would form sodium hydroxide, hydrogen gas and heat energy in the form of an explosion. This is a general statement and/or information which is available in the textbook for the 10th Standard Science subject and it is this which was sought to be demonstrated by the petitioner who admittedly has created around 600 drones and is a content creator experimenting in science and these experiments are put up on the YouTube channel of the petitioner for the benefit of the students.

16. Though this Court does not endorse the manner in which the petitioner has conducted the experiment, considering that there is no maliciousness as required under Section 3 which could be established on the basis of the complaint which has been filed. The experiment has been conducted in the farm of the petitioner's friend, with a separate pond which had been built and which was recorded and uploaded on the YouTube channel, the petitioner had not sought to suppress the explosion or suppress the





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actions taken by the petitioner, but had voluntarily put up the same for the students to view and understand.

17. As indicated supra, though this Court does not condone or commend the actions taken by the petitioner, the fact remains that it is not a malicious action but only an educative action on the part of the petitioner which would not require such an educator to go through the ignominy of a criminal investigation and or a criminal trial thereafter.
18. In that view of the matter, this Court passes the following:

ORDER

- i) Criminal petition is ***allowed***.
- ii) FIR in Crime No.0114/2024 dated 12.12.2024 registered by Medigeshi Police Station, Madhugiri Sub Division, Tumkuru for the offences punishable under Section 3 of Explosive Substances act, 1908 read with Section 288 of Bharatiya Nyaya Sanhita, 2023 pending on the file of Principal Senior Civil





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Judge & JMFC Court, Madhugiri, Tumkuru District is quashed.

- iii) It is made clear that if any further such action is taken by the petitioner, the same would be viewed strictly.
- iv) The petitioner is at liberty to move necessary application for return of the material seized by the Investigating Officer before the jurisdictional Magistrate Court.



(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 1 Sl No.: 3