



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.23013 of 2015

ABDULPARI

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY INSPECTOR OF POLICE
REDDIARCHATHRAM POLICE STATION,
DINDIGUL DISTRICT.

(CRIME NO. 298 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.SELVARAJ Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

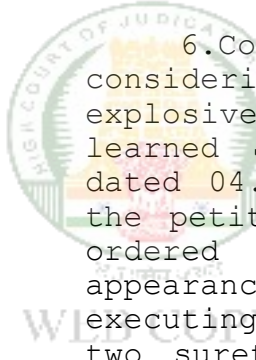
The petitioner, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 286 of IPC r/w Section 9 B(1), (b), 3(b) of Explosive Act, 1884, in Crime No.298 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 01.11.2015 the respondent police at the time of vehicle check up found three persons standing near two dipper lorries in a suspicious manner and they are in possession of 42 gelating sticks and 24 electronic detonators. They informed that they are the drivers of the lorry. The accused Nos.2 and 3 were escaped from the scene of occurrence and the first accused was arrested. He informed to the respondent police that he purchased the explosives from the fourth accused/petitioner. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that he is innocent person and he has been falsely implicated in this case only on the confession of accused No.1. He has not committed any offence as alleged by prosecution.

4.The learned counsel for the petitioner submitted that the petitioner is a license holder to sell the explosives by valid licence issued by the licensing authority. The petitioner sell the explosives only after verifying the licence of the quarry owners.

5.The learned Government Advocate (Crl.side) submitted that the petitioner is a license holder to sell explosives and A1 was arrested and <https://hcservices.mca.gov.in/hcservices/> by the Judicial Magistrate, Oddanchatram in Cr.M.P.No.10721 of 2015 on 4.11.2015.



6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is a license holder to sell the explosives and the first accused was arrested and released on bail by the learned Judicial Magistrate, Oddanchatram in Cr.M.P.No.10721 of 2015, dated 04.11.2015, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Oddanchathiram and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATHIRAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT
- 3 THE INSPECTOR OF POLICE, REDDIARCHATHRAM POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SELVARAJ Advocate SR.No.69537

ORDER
IN
CRL OP(MD) No.23013 of 2015
Date : 04/12/2015

GJM/PM/MP/SAR-II-9.12.2015-2P-6C