



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

Monday, the First day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9243 of 2015

PONNUSAMY ... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY THE INSPECTOR OF POLICE
PUDUKADAI POLICE STATION, KANYAKUMARI DIST.
CR.NO. 203 OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

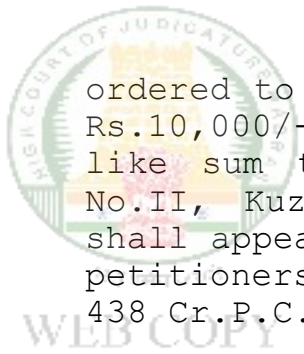
The petitioner/A3 apprehends arrest at the hands of the respondent police in Crime No.203 of 2015 for the offences under Sections 286, 338 and 304(A) IPC and Section 3, 4 and 6 of Explosive Substance Act, seeks anticipatory bail.

2. The case of the prosecution is that on 13.05.2015, in a temple festival at Kuttalmoodu village, one person died due to explosure of the crackers.

3. The learned counsel for the petitioner submitted that the petitioner is arrayed as A3 and he is implicated on the basis that the licence to manufacture crackers standing in the name of the petitioner. The son of the petitioner who is arrayed as A3 was already arrested and released on bail. It is further submitted that similarly placed accused Nos.2 and 8 were arrested and released on bail.

4. The learned Government Advocate (crl. side) submitted that in a temple festival due to negligence on the part of the accused due to the injury sustained in the explosure of the crackers. He would further submit that the temple committee and the manufacturer of the crackers have been implicated as accused in this case.

5. Considering the overt act attributed against this petitioner and also considering the fact that he is a senior citizen of 72 years old, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is



ordered to be released on bail on his 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 Judicial Magistrate No.II, Kuzhithurai and on further condition that the petitioner shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. 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/-
01/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
PUDUKADAI POLICE STATION, KANYAKUMARI DIST.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.26844

ORDER
IN
CRL OP(MD) No.9243 of 2015
Date : 01/06/2015

AA/03.06.2015/2p - 6c/