



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

Tuesday, the Fifth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.11083 of 2016

WEB COPY

KRISHNAKANNAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VEMBAKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR. NO.136/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THIRUVARUTSELVAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 304 of IPC and 9 (b)(1)(a) of Indian Explosive Act in Crime No.136 of 2016, seek anticipatory bail.

2. The case of the prosecution is that one Radha, deceased was preparing crackers at her house on 26.06.2016, suddenly the crackers got fired and the entire house was destroyed by fire, both the deceased and her child were died. On enquiry, it was found that one Marisamy / A3 who is the supplier has no license for manufacturing crackers at home of persons like deceased Radha. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is manufacturer of crackers in his factory and he is running a fire works in the name of "Sri Saranya Fire Works Industries" with valid license. He further contended that the petitioner has never involved in the practice of preparing the parts of crackers outside his company and it is not necessary to give out-sourcing manufacture of crackers and he checks out each and every worker, while leaving his factory premises.

4. The learned Government Advocate (Crl. Side) submitted that without having valid license A3 used to supply the parts of the crackers to the petitioner and other accused persons and due to that illegal activities, the crackers got burst and hence, house of the deceased Radha got, damaged and both the deceased and her child died. He further contended that the petitioner and others out sourcing the parts of crackers to various persons and that the investigation of the case is pending.



5. It is seen that the petitioner and others out sourcing the manufacture of crackers and they caused death of two innocent persons. The allegation against the petitioner is that he used to purchase the crackers from A3 supplier without any license, by outsourcing workers which lead to the death of two innocent persons.

6. Considering the serious nature of allegations levelled against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

sd/-

05/07/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
VEMBAKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.THIRUVARUTSELVAN Advocate SR.No.34999

ORDER

IN

CRL OP(MD) No.11083 of 2016

Date :05/07/2016

PA/SK-SKN/SAR III/20.07.2016/2P/4C