



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

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.12254 of 2016

N. GURUSAMY

... PETITIONER/ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE

SIVAKASI EAST POLICE STATION,VIRUDHUNAGAR DISTRICT.

(CRIME NO. 509 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SOLAISAMY 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 is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 4(b) of Explosive Substances Act, 1860 and Section 188 of IPC, in Crime No.509 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that based on a complaint, Special Tahsildar and Village Administrative Officer inspected various fire works and found that the petitioner was in possession of Potassium Nitrate, Barium Nitrate, Aluminum Powder, SSS Powder, in his wife's house, without getting permission. Subsequently, the said materials were shifted to Annalakshmi Fire Works and thereafter, the factory was sealed. On complaint, case has been registered.

3.The case of the petitioner is that the wife of the petitioner is a partner of the said Annalakshmi Fire works and the materials were stored in the godown and due to recent explosive in one of the premises, a false case has been foisted.

4.The learned Government Advocate (Crl.side) submitted that the petitioner unauthorizedly stored explosive substances, without any safety measures, endangering the life to the public and investigation is pending.



5.Considering the facts and circumstances of the case and also considering the nature of allegations that the petitioner has stored the explosive substances, without any safety measure and without obtaining permission in the residence, this Court is not inclined to grant anticipatory bail. Accordingly, this petition is dismissed.

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sd/-
21/07/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12254 of 2016
Date :21/07/2016

AA/GSV-PM/SAR-III/27.07.2016/2p-3c