



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

Friday, the Twelfth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14724 and 14732 AND 13313 of 2016

KALIDOSS	... PETITIONER/ACCUSED No. 4 in CRL OP(MD).No. 14724/2016
KUMAR	... PETITIONER/ACCUSED No.3 in CRL OP(MD).No. 14732/2016
M.KALIMUTHU	... PETITIONER/ACCUSED NO.4 in CRL OP(MD)No. 13313/2016

Vs

THE INSPECTOR OF POLICE,
EAST POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT
CR. NO. 497 OF 2016

... RESPONDENT/COMPLAINANT IN BOTH
PETITIONS

For Petitioner : M/S.C.BETHANASAMY Advocate

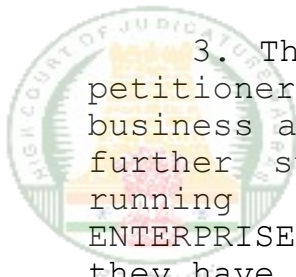
For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, were arrested and remanded to judicial custody on 07.07.2016, for the alleged offences punishable under Section 337 and 304 of IPC and Section 3 of Explosives Substances Act and Section 3 of TNPPDL Act in Crime No.497 of 2016, on the file of the respondents police and hence, seek bail.

2. The case of the prosecution is that A1 is the owner of the building. A2 was lessee running a fire crackers sales shop and used the building as godown and stored the explosives substances without any licence. On 02.07.2016, due to explosive of chemicals, fire broke out in the godown and spread nearby the building in the entire street and due to that four persons died and 14 persons got injured and large number of vehicles which was parked in the street got damaged and also damaged to the nearby ATM Centre. On complaint, a case has been registered for the above said offences.



3. The learned counsel for the petitioners submitted that the petitioners names are not found in FIR and A1 and A2 only doing the business and the petitioners have no connection with A1 and A2. He further submitted that the petitioners and their brothers are running paper company in the name and style of "SRI DEVI ENTERPRISES" at Murugan Colony, Sivakasi and they are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate(Crl.side) submitted that due to explosive of chemicals, fire broke out in the godown and spread nearby the building in the entire street and due to that, four persons died and 14 persons got injured and large number of vehicles which was parked in the street got damaged and also damaged to the nearby ATM Centre. He further submitted that, they have no valid licence to run the fire crackers sales shop and the petitioners are also equally responsible for the offences and the co-accused are yet to be arrested. He further contended that if the petitioners are enlarged on bail, they will abscond and tamper the witnesses and hamper the investigation.

5. Considering the serious nature of allegations that due to explosives substances, fire broke out and due that four persons died and 14 persons got seriously injured and number of vehicles parked in the street nearby the buildings and ATM Centre got damaged and petitioners are actively are participated in the offences and the co-accused are yet to be arrested, this Court is not inclined to enlarge the petitioners on bail.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-
12/08/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, EAST POLICE STATION, SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 THE OFFICER INCHARGE, SUB JAIL, SRIVILLIPUTHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.BETHANASAMY Advocate SR.No. 44627

JA-SKS-RR/SAR.III/23.08.2016/2P: 5C

ORDER IN
CRL OP(MD) No.14724 and
14732 AND 13313 of 2016
Date :12/08/2016