

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7897 of 2017

ORDER:

1 This criminal petition is filed, by the petitioners-accused Nos.1 and 2, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.92 of 2017 on the file of the Station House Officer, Paravbada Police Station, Visakhapatnam registered for the offences punishable under Sections 304, 338, 337 and 287 of IPC.

2 The learned counsel for the petitioners strenuously submitted that gas leaked in the premises due to the negligence one of the workers. He further submitted that the management has taken all precautionary measures to protect the workers, therefore, this is a fit case to grant anticipatory bail to the petitioners.

3 *Per contra*, the learned Additional Public Prosecutor submitted that the petitioners have not taken safety measures due to which the incident took place, therefore, this is not a fit case to grant anticipatory bail to the petitioners.

4 It is the case of the prosecution that on 24.5.2016 at about 11.00 AM due to the blast of ammonia cylinder and compressor in Srikar Laboratories, JNPC, Parawada, Visakhapatnam, one worker died and 22 workers sustained injuries.

5 The petitioners filed CrI.M.P.No.482 of 2017 under Section 438 Cr.P.C on the file of the Court of the X Additional District & Sessions Judge, Visakhapatnam at Anakapalle and the same was dismissed on 07.08.2017 on the ground that if the petitioners are

granted anticipatory bail, they may threaten the family members of the victims.

6 A perusal of the record reveals that after the incident the Inspector of Factories visited the premises of the factory and submitted a report. As per the said report first petitioner is the occupier and second petitioner is the Manager of M/s. Srikar Laboratories. A perusal of the report submitted by the Inspector of Factories further reveals that the petitioners have not taken minimum safety measures to protect the welfare of the workers. A perusal of the said report further reveals that the incident took place due to non-taking of precautionary measures by the petitioners.

7 A perusal of the record prima facie reveals the role of the petitioners in commission of the offence. Taking into consideration the seriousness of the offence alleged to have been committed by the petitioners and the stage of investigation, this Court is of the considered view that this is not a fit case to grant anticipatory bail to the petitioners.

8 In the result, the petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 12th September, 2017
Kvsn