



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

Date : 30/12/2020

PRESENT

The Hon'ble Mr. Justice G. ILANGO VAN

CRL OP(MD) No.16092 of 2020

1. Chinna Nadar
2. Sivakumar
3. Ganesan

... Petitioners/Accused AltoA3

Vs

The State rep. by
The Inspector of Police,
Pudhukadai Police Station,
Kanniyakumari District.
Crime No. 551 of 2020.

... Respondent/Complainant

For Petitioners: Mr. Thalaimutharasu. G,
Advocate.

For Respondent : Mr. Seenivasan,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C

PRAYER :-

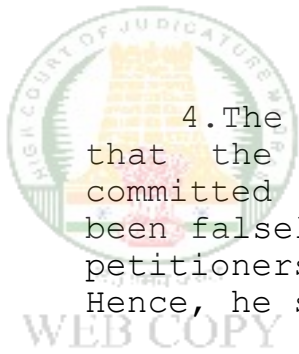
For Anticipatory Bail in Crime No. 551 of 2020 on the file of the Respondent.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 435, 109 and 286 of IPC, and Sections 9(B)(1)(b) of Explosive Act, 1884 and 3 of Explosive Substances Act, 1908, in Crime No.551 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 19.12.2020, the village Administrative Officer got secret information that the petitioners said to have created blast by using the Explosive substances illegally with the help of Driller attached the tractor without any valid permission from the concerned authority. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.



4.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners removed the rock stone available in their patta land. Hence, he seek anticipatory bail.

5.The learned Government Advocate (Criminal Side), appearing for the respondent police submitted that without obtaining any prior permission and license from the concerned authority, the petitioners said to have used Explosive substances illegally and neighbour house also got damaged. He further submitted that the investigation is in initial stage.

6.Considering the facts and circumstances of the case and also considering the seriousness of the offence and the investigation is in initial stage, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this criminal original petition stands dismissed.

sd/-
30/12/2020

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
PUDHUKADAI POLICE STATION,
KANNIYAKUMARI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.16092 of 2020
Date :30/12/2020

VSG/STS

<https://hccs2019.scribd.com/document/591012012/2P/3C>