



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12071 of 2022

MANOHARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.
(CR.NO.44/2022)

[RESPONDENT]

For Petitioner : M/S.B.KEERTHIVASAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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 the alleged offences punishable under Section 286 of I.P.C and Section 5 of Explosive Substance Act, 1908 in Crime No.44 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a suo-motu complaint lodged by the respondent police alleging that the 1st and 2nd accused persons found in possession of 88 pockets of explosive materials viz., Special Ordinary Detonators 9300 grams, which were used for explosive purpose without having valid license. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and no way connected with the alleged offence. He would further submit the petitioner has been falsely implicated in this case. Hence he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the investigation is not yet completed and if the petitioner is granted anticipatory bail, there is a possibility to tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is submitted that when 1st and 2nd accused were in possession of explosive materials namely Special Ordinary Dectonators 9,300 grams and proceeding in a car, the petitioner along with A3 escorted by A1 and A2. That apart, A1 and A2 were already arrested and their bail petitions are pending. Therefore, the custodial interrogation of the petitioner is very much required in this case, since he has committed very serious offence. Considering the circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

20/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
NALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.LAW VISION Advocate on payment of necessary charges

CRL OP.12071/2022

Date :20/05/2022

CSK 26/05/2022