



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.570 of 2022

Balamurugan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District
(Crime No.273 of 2021)

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.273 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 02.12.2021 for the alleged offence under Sections 289, 338 IPC and Section 9 (B) (1) (a) of Indian Explosive Act @ 286, 338, 304(2) IPC r/w 9(B) (1) (a) of Indian Explosive Act, in Crime No.273 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 10.09.2021 at about 09.50 p.m., when the defacto complainant along with his assistant in his office, there was a fire explosion on the shed in the east side of their office. On inspection, it is noted that the A1 and A2 to A8 were engaged in manufacturing fire crackers without any valid license of permission from the concerned authorities. Hence, the case.

3.Reading of the FIR shows that this petitioner without proper permission engaged the other persons for manufacturing fire crackers.



4.The learned Government Advocate (Crl. Side) submitted that there are 11 previous cases against the petitioner, which are similar in nature.

5.Though the petitioner is having 11 previous cases, he has not corrected himself and endangering the human life. He is ready to file an undertaking affidavit to the effect that he will not indulge in such sort of activities in future.

6.Considering the antecedents of the petitioner, this Court is of the view that the petitioner is not entitled for grant of bail. The petition deserves to be dismissed.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/01/2022

/ TRUE COPY /

/ /2022
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
VEMBAKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.570 of 2022
Date :12/01/2022

TM
MK/VR/SAR.IV/01.02.2022/2P/4C