



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 20/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.9979 of 2022

Panchavarnam

... Petitioner/Accused no.2

Vs

The State rep.by,  
The Inspector of Police,  
Sivakasi Town Police Station,  
Virudhunagar District.  
(Crime No. 473 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Jothi Basu.M,  
Advocate.

For Respondent : Mr.P.Kottai Chamy,  
Government Advocate (Crl.Side)

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

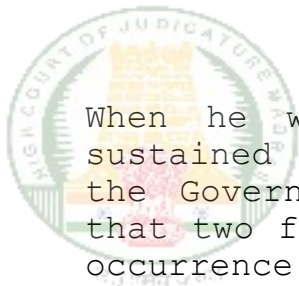
PRAYER :-

For Anticipatory Bail in Crime No. 473 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 286, 377 IPC and section 9(B), (1)(a) of the Indian Explosives Act, 1884 @ 286, 304(ii) IPC r/w Section 9(B)(1)(a) of Indian Explosives Act, 1884, in Crime No.473 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.According to the prosecution, on 15/11/2021 at about 3.00 pm, when the de-facto complainant, who is the Village Administrative Officer of Aanaiyur Village Panchayat received an information that a  
<https://hcservices.ecourts.gov.in/hcservices> happened in a residential house of the petitioner.



When he went to the occurrence place, found that two persons sustained injuries in the fire accident and they were admitted in the Government Hospital, Sivakasi. Subsequently, he came to know that two female persons namely Kartheeswari and Hemitha died in the occurrence place in the fire accident.

WEB COPY

3. Heard both sides.

4. The earlier anticipatory bail applications came to be dismissed by this court, on 04/02/2022 and 10.03.2022 after considering the submission of the petitioner. It has been observed by this court that the place of occurrence known for preparing or manufacturing fire crackers without proper licence. More incident of like nature are happening frequently. It is further observed that this court cannot take lenient view of such incident and a stringent action is required to curtail such sort of illegal activities, which endanger the life of innocent people.

5. The learned counsel for the petitioner submitted that in Pursuant of the earlier dismissal order, the co-accused surrendered before the concerned Judicial Magistrate Court and on that day itself he was released on bail.

6. After lapse of several months from the order of dismissal, the respondent police has not taken any steps to secure the accused. During the course of arguments, the learned counsel for the petitioner submitted that the compensation amount has been given to the victim's family. This cannot be considered as a ground for granting anticipatory bail to the petitioners.

9. In the result, these criminal original petitions are **dismissed.**

sd/-  
20/06/2022

/ TRUE COPY /

28/06/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TTA

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,  
Sivakasi Town Police Station,  
Virudhunagar District.

2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S. JOTHI BASU. M Advocate SR.No.5811

ORDER

IN

CRL OP(MD) No.9979 of 2022

Date :20/06/2022

RK/SVR/SAR-I/28.06.2022 : 3P/4C