



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.14300 of 2022

1. Pasupathi
2. Vaithiyalingam
3. Johnsi Rani

... Petitioners/Accused
Nos.1,3 & 4

Vs

State rep.by
The Sub Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.326 of 2022).

... Respondent/Complainant

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

For Respondent : Mr.P. Kottaichamy
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.326 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 286 and 9(B) (1) (a) at Indian Explosive Act, 1884 in Crime No.326 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.08.2022, at about 2.00 p.m., the defacto complainant along with police parties conducted surprise inspection in Guru Fire Works and found that the



accused have manufactured and stored the crackers without following the safety procedures. Hence, complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that already the license of the petitioners was cancelled on 28.07.2022 and subsequent to that they have stored the fire crackers. He would further submit that petitioners 2 and 3 are having some previous cases in similar nature and the investigation of the case is pending.

5. Considering the nature of offence and the age of the first petitioner, this Court is inclined to grant anticipatory bail to the first petitioner.

6. Accordingly, this Criminal Original Petition is allowed and first petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Sivakasi on condition that the 1st petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the 1st petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The 1st petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The 1st petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8. Considering the previous antecedents of the petitioner, this petition is dismissed against the petitioners 2 and 3.

Sd/-
10/08/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE SUB-INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.JOTHI BASU M Advocate SR.No.8401

ORDER
IN
CRL OP(MD) No.14300 of 2022
Date :10/08/2022

SP/PN/SAR II/26/08/2022/3P/6C