



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.17345 of 2022

1. Vaithyalingam
2. Johnsi Rani

... Petitioners/Accused No.3&4

Vs

The 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.SS.Madhavan,
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.

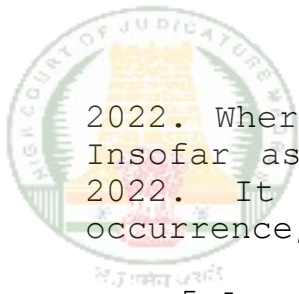
ORDER : The Court made the following order :-

The petitioners/Accused No.3 & 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 286 IPC and 9(B)(1)(a) of Indian Explosive Act, 1884, in Crime No.326 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein have manufactured and stored the crackers without following the safety procedures. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the second petitioner is a lady. Insofar as the first petitioner is concerned he is ready to withdraw the petition.

4. But, however, the learned Government Advocate (Crl. Side) for the respondent police submitted that this is the second occurrence and subsequent FIR was also registered in Crime No.438 of



2022. Wherein, the second petitioner is arrayed as second. Insofar as this case is concerned, Crime Number is Cri.No.326 of 2022. It appears that subsequent to the above said present occurrence, second FIR was also registered against the petitioners.

5. According to the learned counsel for the petitioners, the petitioners are license holder and they are no way involved in the maintenance of the above said unit.

6. This was the consistent stand raised by the petitioner right from the beginning. This contention was rejected by me. I find no ground for considering this petition and the petitioners are not entitled for discretionary relief of anticipatory bail even though the second petitioner is a lady.

7. Considering the habitual nature of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/10/2022

/ TRUE COPY /

/10/2022
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 SUB INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.17345 of 2022
Date : 20/10/2022
(1/2)

dss
SA/SBN/SAR.2/31.10.2022/2P/3C